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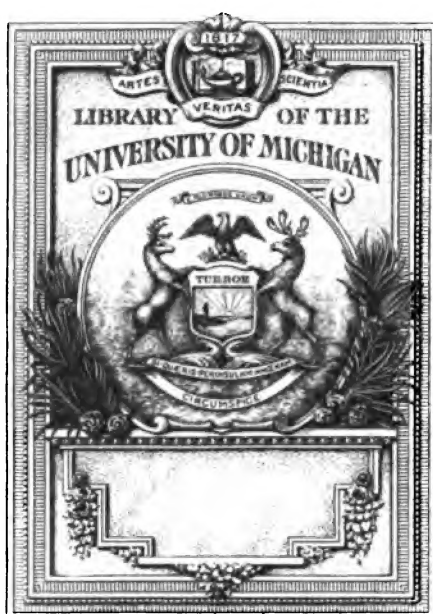
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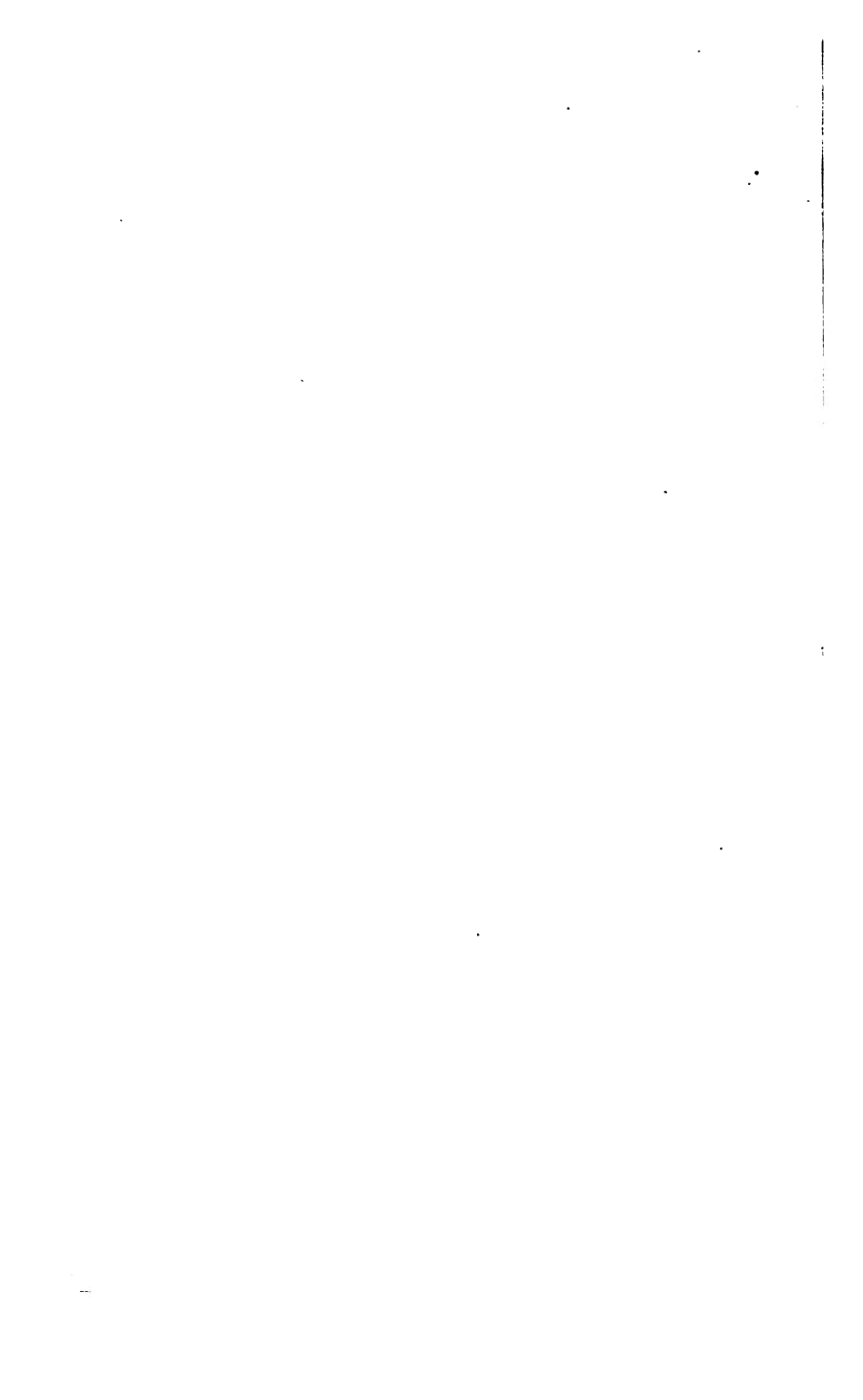
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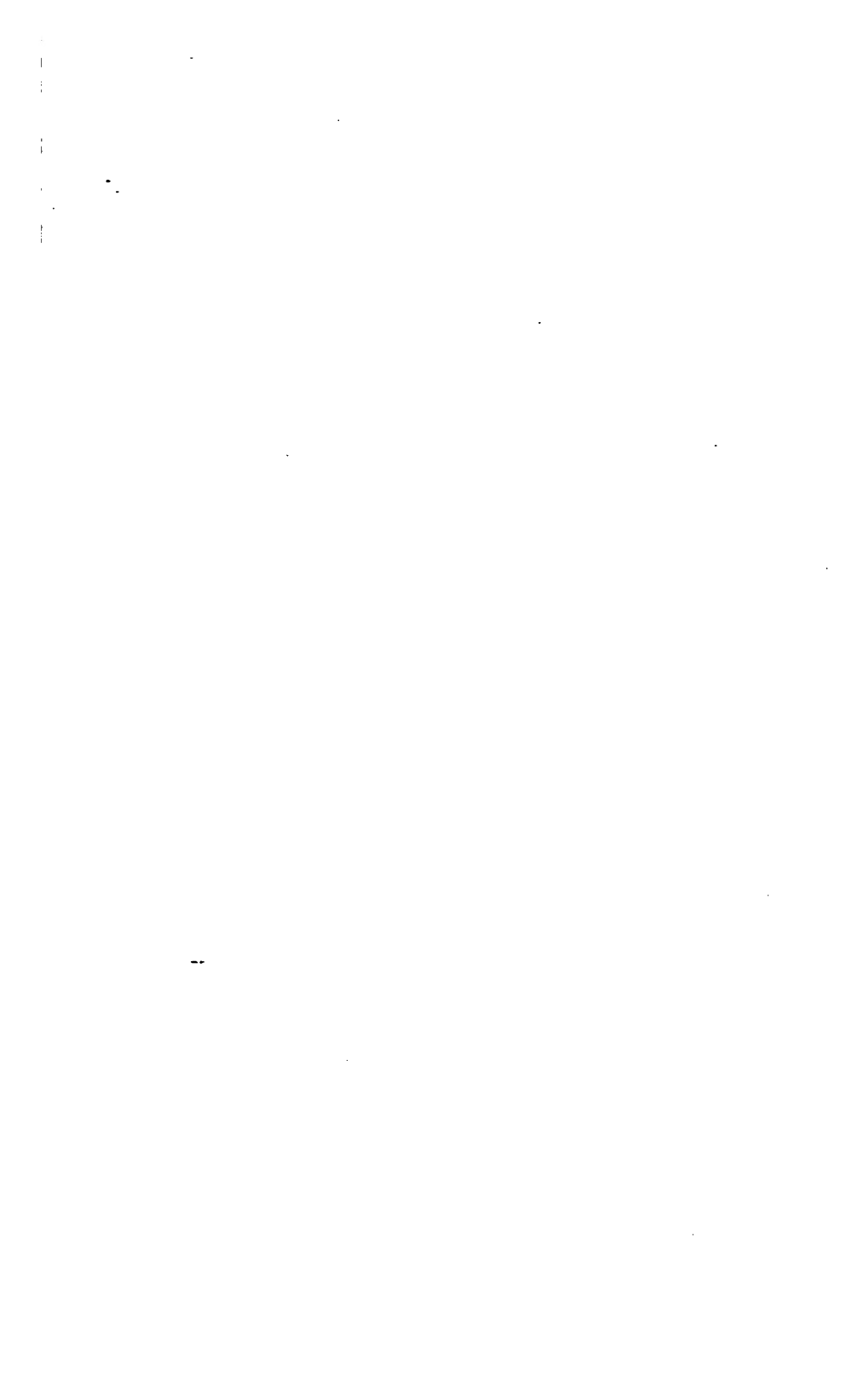
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**JOURNAL**  
OF THE  
**HOUSE OF REPRESENTATIVES**  
OF THE  
**STATE OF MICHIGAN.**  
**1844.**

Printed by virtue of an Act of the Legislature, under the supervision and direction of

**A. W. HOVEY,**

**CLERK OF THE HOUSE OF REPRESENTATIVES.**



**DETROIT.**

**BAGG & HARMON, PRINTERS TO THE STATE.**

**1844.**

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**JOURNAL**  
OF THE  
**HOUSE OF REPRESENTATIVES.**

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*Monday, January 1, 1844.*

This being the day fixed by the twenty-first section and fourth article of the constitution of this state, for the meeting of the legislature, the members of the House of Representatives were called to order by the Hon. Edwin H. Lothrop of Kalamazoo, and on motion of the Hon. Mr. Videto of Jackson, the Hon. D. C. Walker of Macomb, was unanimously chosen speaker *pro tempore*.

On motion the Hon. Mr. Lothrop, E. J. Roberts was unanimously chosen clerk, *pro tempore*.

The clerk then proceeded to call the roll of the Representatives elect, when the following members severally answered to their names and took their seats :

*From the county of Berrien*—Joseph G. Ames.

*Branch*—Wales Adams.

*Cass and Van Buren*—James W. Griffin and Philotus Hayden.

*Calhoun*—Moses Hall and J. Sheldon.

*Chippewa*—James L. Schoolcraft.

*Clinton and Shiawassee*—Daniel Ferguson.

*Genesee*—Robert D. Lamond.

*Hillsdale*—William W. Murphy and Easton T. Chester.

*Ingham and Eaton*—Benjamin Knight.

*Jackson*—Fidus Livermore, Anson H. Delamatter and James Vide-

to.

*Kalamazoo*—Edwin H. Lothrop and Stephen Vickery.

*Kent, Ottawa and Ionia*—Thomas W. White.

*Lapeer*—Charles A. Hobbard.

*Lenawee*—Oliver Miller, Ebenczer W. Fairfield, Thomas H. Mosher and Jonathan Berry.

*Livingston*—Ely Barnard and Robert D. Power.

*Mackinac*—Wm. N. McLeod.

*Monroe*—Hiram Stone and Nelson Dunham.

*Macomb*—D. C. Walker and Philo Tillson.

*Oakland*—William A. Pratt, Eldridge G. Knowlton, Augustus C. Baldwin, Pliny Power, John Davis and William Snell.

*Saginaw*—Hiram L. Miller.

*St. Clair*—Oel Rix.

*St. Joseph*—Frederick Shurtz and Phillip E. Runyan.

*Washtenaw*—Chauncey Joslin, Caleb Van Huseñ, Micah Porter, Henry Hall, Norton R. Ramsdell and Joshua G. Leland.

*Wayne*—John V. Ruehle, jr, Henry N. Walker, John Blindbury, Harry Saunders, Elijah Hawley, Jr. and David H. Rowland.

On motion of Mr. Livermore, Paul B. Ring, of Jackson, was appointed Sergeant-at-arms, *pro tempore*.

On motion of Mr. Lothrop, Messrs. Joslin, Baldwin and Miller were appointed a committee to wait upon Chief Justice Ransom, and invite him to administer the oath of office to the members elect.

The Chief Justice being announced the representatives were severally sworn into office, when

On motion of Mr. Rowland, the House proceeded to the election of speaker, and on the names of the members being called, they voted as follows:

**FOR EDWIN H. LOTHROP.**

Mr. Adams,  
Mr. Ames,  
Mr. Barnard,  
Mr. Baldwin,  
Mr. Berry,  
Mr. Blindbury,  
Mr. Chester.  
Mr. Davis,  
Mr. Delamater,  
Mr. Dunham,  
Mr. Fairfield,  
Mr. Ferguson,

Mr. Hayden,  
Mr. Hebbard,  
Mr. Joslin,  
Mr. Knight,  
Mr. Knowlton,  
Mr. Lamond,  
Mr. Leland,  
Mr. Livermore,  
Mr. McLeod,  
Mr. O. Miller,  
Mr. Mosher,  
Mr. Murphy,

Mr. Ramsdell,  
Mr. Ruehle,  
Mr. Rix,  
Mr. Rowland,  
Mr. Runyan,  
Mr. Saunders,  
Mr. Schoolcraft,  
Mr. Sheldon,  
Mr. Shurtz,  
Mr. Snell,  
Mr. Stone,  
Mr. Tillson,



Mr. Griffin,  
Mr. H. Hall,  
Mr. M. Hall,  
Mr. Hawley,

Mr. P. Power,  
Mr. R. D. Power,  
Mr. Porter,  
Mr. Pratt,

Mr. Videto,  
Mr. Van Husen,  
Mr. D. C. Walker,  
Mr. H. N. Walker—48.

FOR D. C. WALKER,

Mr. Lothrop—1.

FOR STEPHEN VICKERY.

Mr. H. L. Miller,

Mr. White—2

FOR H. L. MILLER,

Mr. Vickery—1.

Whereupon Mr. Lothrop was declared duly elected speaker, and on motion of Mr. H. N. Walker, Messrs. H. N. Walker and McLeod were appointed a committee to inform Mr. Lothrop of his election and wait upon him to the chair.

Mr Lothrop having taken the chair, addressed the House as follows :

*Gentlemen of the House of Representatives :*

Summoned by the almost unanimous voice of this House, to preside over your deliberations during the present session, I should be unjust to myself, and to you, gentlemen, if I did not confess that I feel highly gratified for this mark of your respect towards, and confidence in, me; and for it, please accept my sincere thanks and grateful acknowledgments.

I should enter on the discharge of the new and responsible duties now before me, with a degree of reluctance and with a fear that I should be unable to discharge them acceptably to you, gentlemen, had I not so often witnessed the distinguished courtesy and kindness, in cases of difficulty and embarrassment, rendered by the Representatives of Michigan, towards their presiding officer.

In my official intercourse with this House, I shall endeavor to treat every member as bearing the same high commission from the people, and equally entitled to my respect and attention, and in return, may I not expect your counsels and advice in aid of the discharge of the new duties now devolving on me.

The rules that you shall establish for the government of the House, shall, on my part, be administered with an even and impartial hand, but I need not remind you, gentlemen, how necessary it is for the good order of the House, and the dispatch of the public business,

that the rules of the House should be strictly adhered to on all occasions ; and how little the presiding officer can do, to produce so desirable an object, without the cheerful and prompt co-operation of the House itself.

On motion of Mr. Pratt, the House now proceeded to the election of chief clerk, and the vote stood as follows:

FOR AUGUSTINE W. HOVEY,

Mr. Adams,	Mr. Hebbard,	Mr. Ruehle,
Mr. Ames,	Mr. Joslin,	Mr. Rix,
Mr. Barnard,	Mr. Knight,	Mr. Rowland,
Mr. Baldwin,	Mr. Knowlton,	Mr. Runyan,
Mr. Berry,	Mr. Lamond,	Mr. Saunders,
Mr. Blindbury,	Mr. Leland,	Mr. Schoolcraft,
Mr. Chester,	Mr. Livermore,	Mr. Sheldon,
Mr. Davis,	Mr. McLeod,	Mr. Shurtz,
Mr. Delamatter,	Mr. O. Miller,	Mr. Snell,
Mr. Dunham,	Mr. Mosher,	Mr. Stone,
Mr. Fairfield,	Mr. Murphy,	Mr. Tillson,
Mr. Ferguson,	Mr. P. Power,	Mr. Videto,
Mr. Griffin,	Mr. R. D. Power,	Mr. Van Husen,
Mr. H. Hall,	Mr. Porter,	Mr. D. C. Walker,
Mr. M. Hall,	Mr. Pratt,	Mr. H. N. Walker,
Mr. Hawley,	Mr. Ramsdell,	Mr. Speaker—48.

FOR E. J. ROBERTS,

Mr. Hayden, Mr. H. L. Miller, Mr. Vickery—3.

FOR WILLIAM C. PEASE,

Mr. White—1.

And Mr. Hovey was declared duly elected.

The House then proceeded to the election of an engrossing, enrolling and recording clerk, which resulted as follows:

FOR WILLIAM C. PEASE,

Mr. Adams,	Mr. Hebbard,	Mr. Rix,
Mr. Ames,	Mr. Joslin,	Mr. Rowland,
Mr. Barnard,	Mr. Knight,	Mr. Runyan,
Mr. Baldwin,	Mr. Knowlton,	Mr. Saunders,
Mr. Berry,	Mr. Lamond,	Mr. Schoolcraft,
Mr. Blindbury,	Mr. Leland,	Mr. Sheldon,
Mr. Chester,	Mr. Livermore,	Mr. Shurtz,
Mr. Davis,	Mr. McLeod,	Mr. Snell,
Mr. Delamater,	Mr. O. Miller,	Mr. Stone,
Mr. Dunham,	Mr. Mosher,	Mr. Tillson,
Mr. Fairfield,	Mr. Murphy,	Mr. Videto,
Mr. Ferguson,	Mr. P. Power,	Mr. Van Husen,
Mr. Griffin,	Mr. R. D. Power,	Mr. D. C. Walker,

Mr. H. Hall,  
Mr. M. Hall,  
Mr. Hawley,  
Mr. Hayden,

Mr. Porter,  
Mr. Pratt,  
Mr. Ramsdell,  
Mr. Ruehle,

Mr. H. N. Walker,  
Mr. White,  
Mr. Speaker—50.

FOR E. J. ROBERTS,

Mr. H. L. Miller—1.

FOR RICHARD ROE,

Mr. Vickery—1.

Senators Howell and Shearer were announced, informing that the Senate were organized and ready to proceed to business.

Mr. Dunham offered the following resolution, which, on motion of Mr. H. N. Walker, was laid on the table:

*Resolved*, That a committee of two be appointed to wait on the Senate and inform them that a quorum of the House of Representatives is present and organized and ready to proceed to business; and that the House is ready to meet the Senate in convention, in their hall, at such time as the Senate may appoint, to canvass the votes for governor and lieutenant governor.

On motion of Mr. Rowland,

*Resolved*, That a committee of two be appointed by the House, to inform the Senate that the House are organized and ready to proceed to business.

And the Speaker announced Messrs. Rowland and McLeod as such committee.

On motion of Mr. Rix, -

*Resolved*, That the Speaker be privileged to appoint two messengers for the House, at a rate not exceeding one dollar per day.

On motion of Mr. Livermore,

*Resolved*, That the rules of the last House of Representatives be adopted as the rules of this House, until otherwise ordered.

Senators Wilson and Starkey were announced, informing that the Senate were prepared to meet in joint convention, for the purpose canvassing the votes for governor and lieutenant governor.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }  
Monday, January 1, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "a joint resolution

relative to joint rules," &c., which the Senate have adopted, and in which they respectfully ask the concurrence of the House.

JAS. E. PLATT,

*Secretary of the Senate.*

And said resolution was concurred in by the House, and returned to the Senate.

On motion of Mr. Videto,

The Speaker announced Messrs. Videto and Pratt to wait upon the Senate and inform that body the House were in readiness to receive them in joint convention.

#### IN JOINT CONVENTION.

The Senators having taken their seats in the hall of the House of Representatives, Senator Cust, President, *pro tempore*, of the Senate, called the convention to order, and the Senators being called by the secretary, and the Representatives by the clerk,

On motion of Mr. Shearer, proceeded to canvass the votes for governor and lieutenant governor.

On motion of Senator Moody,

Senator Wilson and Mr. Livermore were appointed tellers, who, upon receiving and examining the returns of votes from the several counties, made their report, and the President of the Senate announced John S. Barry as being duly elected governor of the state, and Origen D. Richardson as lieutenant governor, by the following vote:

John S. Barry received for the office of governor,	21,392
Zina Pitcher,	14,899
James G. Birney,	2,776

Majority for John S. Barry,	3,717
-----------------------------	-------

Origen D. Richardson received for the office of lieutenant governor,	21,289
James B. Larue,	14,865
Luther F. Stevens,	2,767

Majority for Origen D. Richardson,	3,657
------------------------------------	-------

Senator Starkey offered the following, which was adopted :

Whereas, It appears from the constitutional canvass that John S. Barry has received the highest number of votes for the office of Governor, therefore,

*Resolved by this joint Convention,* That John S. Barry be and he is hereby declared duly elected Governor of the state of Michigan.

And whereas, It appears from the constitutional canvass that Origen D. Richardson has received the highest number of votes for the office of Lieutenant Governor, therefore,

*Resolved by this joint Convention,* That Origen D. Richardson be and he is hereby declared duly elected Lieutenant Governor of the state of Michigan.

On motion of Senator Howell, Senator Howell and Mr. Shurtz were appointed a committee to wait upon the Governor and Lieutenant Governor elect and inform them of their election, and that the Convention are in session to induct them into office.

John S. Barry and Origen D. Richardson were then presented to the Convention, and subscribed to their respective oaths of office before the Chief Justice, Hon. E. Ransom, and thereupon Governor Barry delivered the following Inaugural address :

*(See Senate Documents.)*

At the conclusion of the address, on motion of Senator Moody, the Convention adjourned *sine die*.

JAS. E. PLATT,  
*Secretary of the Senate.*

E. J. ROBERTS,  
*Clerk of H. of R. pro tem.*

The House of Representatives were then called to order, and on motion of H. N. Walker,

*Resolved,* That a committee of two be appointed by the House to act jointly with such committee as may be appointed by the Senate to inform the Governor that the two Houses are organized and ready to receive any communication he may have to make.

And the Speaker announced Messrs. H. N. Walker and Dunham as such committee, who forthwith returned with an answer from the Governor, that he would forthwith transmit to both Houses his annual message.

T. F. Brodhead, Esq., the private secretary of the governor, was announced with the message, which was read at the clerk's desk ; and,

On motion of Mr. Dunham,

Amended by Mr. Ruehle, 2,000 copies were ordered to be printed in the English; 500 in the French, and 500 in the German languages.

*(See Joint Documents.)*

On motion of Mr. Pratt,

The House adjourned until to-morrow morning, at 10 o'clock

*Tuesday, January 2, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Parmelee and Runyan were absent.

The Journal was then read and corrected.

Mr. White presented the credentials of Abner C. Parmelee, member elect from the Representative district composed of the counties of Allegan and Barry,

Whereupon, The Speaker administered the oath of office to Mr. Parmelee, who then took his seat.

The following standing committees were announced by the Speaker :

*On Ways and Means*—D. C. Walker, P. Power, Miller, Mosher, Hall.

*Judiciary*—Ramsdell, McLeod, Stone, Baldwin, O. Miller.

*Internal Improvement*—Joslin, Tillson, Vickery, Adams, White.

*Claims*—Vickery, R. D. Power, Delamatter, Ames, Berry.

*Elections*—Fairfield, Griffin, H. Hall, Knowlton, Shurtz.

*Banks and Incorporations*—Murphy, Blindbury, Davis, Ferguson, Hawley.

*Printing*—Dunham, Barnard, Van Husen, Knight, Videto.

*University, School, State and Salt Lands*—H. N. Walker, Porter, Runyan, P. Power, M. Hall.

*Federal Relations*—Schoolcraft, H. N. Walker, Fairfield, Murphy, Livermore.

*Education*—McLeod, Barnard, Sheldon, Berry, Van Husen.

*Engrossing and Enrollment*—Pratt, Mosher, Stone, Knight, Rix.

*Agriculture and Manufactures*—Videto, Snell, Hayden.

*Supplies and Expenditures*—Rowland, Parmelee, Schoolcraft, Dunham, Ames.

*Organization of Townships and Counties*—Baldwin, Lamond, Leland.

*State Prison*—Livermore, Chester, Hebard.

*Roads and Bridges*—Shurtz, Porter, Chester.

*Militia*—Rix, Ruehle, Saunders.

Edward Baker and John L. Livermore, were appointed messengers, under the resolution adopted yesterday.

The Speaker presented the memorial of the board of supervisors of Wayne county, which was referred to the committee on the judiciary.

Mr. Dunham presented a petition from citizens of Monroe county, praying the reduction of the price of school and university lands, which was referred to the committee on school and university lands.

The Speaker announced the following communication :

OFFICE OF INTERNAL IMPROVEMENT, }  
 Detroit, January 2, 1844. }

Hon. E. H. LOTHROP, *Speaker of the House of Representatives :*

SIR :—I have the honor to transmit the annual report of the board of internal improvement.

THOMAS W. WELLS,  
*Acting Commissioner.*

And the report was referred to the committee on internal improvement.

The Speaker announced the following communication from the State Treasurer :

STATE TREASURER'S OFFICE, }  
 Detroit, January 2, 1844. }

Hon. E. H. LOTHROP, *Speaker of the House of Representatives :*

SIR :—I have the honor herewith to transmit a copy of the annual report from this office, for the fiscal year ending Nov. 30th, ult., prepared and printed for the use of the Legislature, as required by law.

Yours, most respectfully,

JOHN J. ADAM,  
*State Treasurer.*

And the report was referred to the committee on ways and means.

On motion of Mr. Rix,

*Resolved,* That the Clerk of this House be instructed to wait upon the Rev. Clergy of the city of Detroit, and invite them to officiate alternately, at the opening of the morning session, by prayer, and that they receive such compensation only, as the members voluntarily contribute.

On motion of Mr. Ramsdell, all after the word "prayer" was stricken out, and the resolution then adopted by the following vote :

YEAS.

Mr. Adams,  
 Ames,

Mr. Leland,  
 McLeod,

Mr. Saunders,  
 Schoolcraft,

Baldwin,  
Dunham,  
Ferguson,  
M. Hall,  
Hayden,  
Hebard,  
Joslin,  
Knight,  
Lamond,

H. L. Miller,  
Murphy,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,

Stone,  
Tillson,  
Vickery,  
Van Husen,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker.

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## NAYS.

Mr. Barnard,  
Berry,  
Blindbury,  
Chester,  
Delamatter,  
Davis,  
Fairfield,

Mr. Griffin,  
H. Hall,  
Hawley,  
Livermore,  
O. Miller,  
Mosher,  
P. Power,

Mr. R. D. Power,  
Pratt,  
Runyan,  
Sheldon,  
Shurtz,  
Snell,  
Videto,

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Mr. Fairfield offered the following resolution, which was adopted :

*Resolved*, That the House now proceed to the election of sergeant-at-arms and door keeper.

The House then proceeded to the election of a sergeant-at-arms and door keeper, which resulted in the election of Ira Ingalls, by the following vote :

## FOR IRA INGALLS.

Mr. Adams,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Hayden,  
Hebard,

Mr. Joslin,  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
McLeod,  
O. Miller,  
Mosher,  
Murphy,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,  
Ramsdell,  
Ruehle,  
Rix,

Mr. Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husen,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

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For Paul B. Ring, Mr. Knight—1.

For Blank, Messrs. H. L. Miller and Parmelee—2.

Mr. Baldwin offered the following resolution, which was adopted :

*Resolved*, That the tables of the members of this House be fur-



nished with a copy of the revised statutes and session laws of Michigan, and the journals and documents of the last session of the Legislature.

Mr. D. C. Walker sent up the following resolution :

*Resolved*, That the clerk of the House furnish at the expense of the State to each member of the House of Representatives such newspapers as they shall respectively direct, not exceeding in value one daily paper.

Mr. Murphy moved to amend by striking out the word "one" and inserting "two," which motion was lost by the following vote :

## YEAS.

Mr. Baldwin,  
Chester,  
Dunham,

Mr. Hayden,  
McLeod,  
O. Miller,

Mr. H. L. Miller,  
Murphy,  
Rix—9.

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Blindbury,  
Berry,  
Davis,  
Delamatter,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Hebard,  
Joslin,

Mr. Knight  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
Mosher,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,  
Ramsdell,  
Ruehle,  
Rowland,  
Runyan,

Mr. Saunders,  
Schoolcraft,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husen,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

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The resolution was then adopted.

On motion of Mr. Murphy,

*Resolved*, That a committee of two be appointed to make arrangement with the post master of the city of Detroit, for the delivery to communications directed to members of this House, and that they report as soon as practicable.

Messrs. Murphy and Ramsdell were appointed said committee.

The following communication was received from the Auditor General :

AUDITOR GENERAL'S OFFICE, }  
*Detroit, January 2, 1844.* }

Hon. E. H. LOTHROP, *Speaker House Representatives :*

SIR :—The undersigned has the honor herewith to transmit the annual report from this department.

Most respectfully,

Your obedient servant,

C. G. HAMMOND,

*Auditor General.*

The report was referred to the committee of ways and means.

The Speaker announced the following :

AUDITOR GENERAL'S OFFICE, }  
*Detroit, January 2, 1844.* }

Hon. E. H. LOTHROP, *Speaker House of Representatives :*

SIR :—Herewith is transmitted the annual report of the Agent of the State Prison made to this office.

Most respectfully,

C. G. HAMMOND,

*Auditor General.*

And the report was referred to the committee on state prison.

Mr. Livermore gave notice that he would at an early day, ask leave to introduce a bill to amend the act incorporating the village of Jackson.

Mr. Rowland gave notice that he would, at an early day, ask leave to introduce a bill to repeal the second section of an act entitled "An act relative to crimes, and punishment thereof," approved March 9, 1843.

The following message was received from the Senate :

SENATE CHAMBER, }  
*Tuesday, January 2, 1844.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a "Joint resolution authorizing the Governor to appoint a private secretary:" also a "Joint resolution appointing a committee to make arrangements with

the post master at Detroit relative to postage;" which the Senate have adopted, and respectfully ask the concurrence of the House therein.

J. E. PLATT,

*Secretary of Senate.*

The joint resolution relative to postage was concurred in, and Messrs. Murphy and Ramsdell appointed said committee on the part of the House.

The joint resolution authorizing the Governor to appoint a private secretary was read a first and second time, whereupon the rule was suspended, and the resolution was read the third time and passed.

On motion of Mr. Dunham,

*Resolved*, That the daily sessions of this House will commence at ten o'clock A. M. until otherwise ordered.

On motion of Mr. Pratt,

*Resolved*, That a committee of five be appointed to revise the rules of this House, and that they report as soon as practicable.

Messrs. Pratt, D. C. Walker, McLeod, Livermore and H. L. Miller were appointed said committee.

Mr. D. C. Walker moved an adjournment which was lost.

Mr. White presented the petition for the extension of the time for the completion of the tax roll and collection of taxes in the township of Ottawa. Referred to the committee on ways and means.

On motion of Mr. Murphy, the House adjourned.

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*Wednesday, January 3, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Hawley, R. D. Power, Stone, were absent.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and approved.

#### PETITIONS.

By Mr. H. L. Miller, of sundry citizens of the town of Hampton, in the county of Saginaw, for a state road from Tuscola to Lower Saginaw. Referred to the committee on roads and bridges.

By Mr. White, for extension of the time for the completion of the tax roll and the collection of taxes in the township of Norton. Referred to the committee on ways and means.

By Mr. Delamatter, of Mariah Brears, to convey certain lands in Lenawee county. Referred to the committee on the judiciary.

Also, of seventy-two members of the Napoleon artillery company, for the refunding of certain money expended for the transportation of cannon on the Central railroad. Referred to the committee on militia.

By Mr. Fairfield, of Samuel Morgan, of the township of Rome, Lenawee county, relative to certain school lands, and asking relief in the premises. Referred to the committee on state, school, university and salt lands.

By Mr. Hayden, of citizens of Van Buren county, asking an appropriation on the Paw Paw River. Referred to the committee on internal improvement.

By Mr. Parmelee, of citizens of Kent and Barry county, for a state road from Hastings, in Barry county, to Grand Rapids, in Kent county. Referred to the committee on roads and bridges.

Also, of sundry citizens, for a division of the township of Johnstown, in Barry county. Referred to the committee on the organization of townships and counties.

By Mr. Knight, of David B. Bradford and others, relative to the loss of wool, by fire, in the principal workshop of the state prison, in July last. Referred to the committee on claims.

By the Speaker, of 110 legal voters of Kalamazoo county, praying for an amendment of the constitution of this state, by expunging from it the word "white," and thus to secure to all citizens equal political rights. Referred to the committee on the judiciary.

Also, a petition of 120 legal voters of Kalamazoo county, praying the passage of a law prohibiting, under certain penalties, any judge or magistrate, acting in this state, from taking cognizance of claims for fugitive slaves, and for other purposes. Referred to the committee on federal relations.

By Mr. H. N. Walker, an account of the Detroit Advertiser, for advertising proposals for state printing. Referred to the committee on claims.

#### REPORTS.

Mr. D. C. Walker, from the committee on ways and means, to whom was referred the petition of citizens of Ottawa township, reported

that, in the opinion of the committee, no legislative action was necessary, and asked to be discharged from the further consideration of the subject. The committee were discharged.

Mr. Schoolcraft introduced a joint resolution relative to the construction of a ship canal around the falls of St. Marie; which was read twice and referred to the committee of the whole.

Mr. Saunders offered the following resolution :

*Resolved*, That 500 copies of the Governor's inaugural address to the legislature be printed in the German language, and 500 in the French language.

Mr. Vickery moved to amend by striking out "five" wherever it occurs in the resolution, and inserting "three," which amendment was lost.

On motion of Mr. H. N. Walker the resolution was laid on the table.

Mr. Dunham offered the following resolution, which was lost :

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so altering the law relative to justices' courts, as to permit appeals to be taken from the judgments of said courts in all cases.

Mr. O. Miller offered the following resolution which was laid on the table :

*Resolved*, That a committee on the library be appointed, to consist of two members.

On motion of Mr. Shurtz,

*Resolved*, That the committee on printing be authorized to employ competent persons to translate the Governor's inaugural address and annual message into the French and German languages.

Mr. Baldwin moved a reconsideration of the resolution, adopted yesterday, inviting the clergy to open the morning sessions by prayer, which motion prevailed.

The resolution being before the House, Mr. Shurtz moved to amend by adding the following proviso :

"Provided, That no money be drawn from the treasury for their services ;" pending which motion, Mr. Murphy moved to refer the whole subject to the committee of ways and means.

Mr. D. C. Walker moved to amend the motion by referring to the committee on supplies, which amendment did not prevail.

The question recurring on the motion to refer the whole subject to the committee on ways and means, it was lost.

The question then being on the amendment offered by Mr. Shurtz, it was decided in the negative.

Mr. Pratt offered a substitute for the original resolution in the following words:

*Resolved*, That the clerk of this House invite the reverend clergy of the city of Detroit, and such other clerical gentlemen as shall from time to time be introduced to the clerk by a member of the House, to officiate alternately at the opening of the morning session by prayer, and that they receive such compensation only as the members shall voluntarily contribute.

Which substitute was rejected by the following vote:

#### YEAS.

Mr. Adams,	Mr. Knowlton,	Mr. Runyan,
Barnard.	Livermore,	Sheldon,
Baldwin,	O. Miller,	Shurtz,
Berry,	Mosher,	Snell,
Davis,	P. Power,	Tillson,
Delamatter,	R. D. Power,	Videto,
Fairfield,	Pratt,	D. C. Walker,
Griffin,	Rix,	Speaker, 24

#### NAYS.

Mr. Ames,	Mr. Hebard,	Mr. Porter,
Blindbury,	Joslin,	Ramsdell,
Chester,	Knight,	Ruehle,
Dunham,	Lamond,	Rowland,
Ferguson,	Leland,	Schoolcraft,
H. Hall,	McLeod,	Stone,
M. Hall,	H. L. Miller,	Van Husen,
Hawley,	Murphy,	H. N. Walker,
Hayden,	Parmelee,	White, 27

The question then recurring on the adoption of the original resolution, it was adopted.

The House then resolved itself into committee of the whole on the general order, Mr. McLeod in the chair, and after a time spent thereon, rose, and by their chairman, reported that they had had under consideration the standing rules of the House, to which they had made sundry amendments, and asked the concurrence of the House therein. The amendments were concurred in.

The committee also reported back the joint resolution relative to

the construction of a ship canal around the falls of St. Marie, without amendment, and the resolution was ordered to be engrossed for a third reading.

The Speaker announced the following communications from the Executive.

EXECUTIVE OFFICE, }  
*Detroit, January 3, 1844.* }

*To the House of Representatives :*

I herewith transmit to the House of Representatives the annual report of the Commissioner of the State land office.

JNO. S. BARRY.

EXECUTIVE OFFICE, }  
*Detroit, January 3, 1844.* }

*To the House of Representatives :*

I herewith transmit to the House of Representatives the annual reports of the Adjutant General, and Quarter Master General.

JNO. S. BARRY.

The annual report of the Commissioner of the State land office, was referred to the committee on state, school, university and salt lands, and the annual reports of the Adjutant General, and Quarter Master General, were referred to the committee on the militia.

Mr. Vickery offered a concurrent resolution in the following words :

*Resolved,* That the Secretary of State, the Senate concurring, be instructed to furnish each member of the Legislature with a copy of the revised statutes and the session laws, which shall be returned by each member to the office of the Secretary of State, at the close of the session.

On motion of Mr. Murphy, all after the word "laws," was stricken out.

Mr. Livermore moved to amend, by adding "Also, a copy of the journals and documents of the last Legislature," which motion prevailed, and the resolution, as amended, was adopted.

The Speaker announced the committee on the library to consist of Messrs. P. Power, O. Miller, and Joslin.

On motion of Mr. Chester, the House adjourned.

*Thursday, January 4, 1844.*

The House met pursuant to adjournment, and on calling the roll, the members were all present.

Prayer by Rev. Mr. Pilcher.

The Journal of yesterday was read and corrected.

PETITIONS.

By Mr. Parmelee, of sundry citizens of the township of Wayland, Allegan county, in relation to certain highway taxes levied in said township in 1843. Referred to the committee on the judiciary.

By Mr. H. N. Walker, of 219 citizens of Wayne county, asking the re-enactment of sec. 1 and 5, of chap. 8, title 1, of part 4, of the revised statutes. Referred to the committee on the judiciary.

By Mr. McLeod, of inhabitants of the township of St. Ignace, county of Mackinac, praying for the organization of a new township. Referred to the committee on the organization of townships and counties.

By Mr. Griffin, of inhabitants of the township of Niles, Berrien county, asking some modification of the act incorporating the village of Niles. Referred to the committee on roads and bridges.

By Mr. Dunham, of J. Babcock, and 40 other legal voters of the county of Monroe, praying a reduction of the price of school land, and for other purposes. Referred to the committee on public lands

RESOLUTIONS, MOTIONS, AND NOTICES.

On motion of Mr. McLeod,

*Resolved*, That the State Geologist be authorized to lay upon the tables of the members, the maps of such counties as are completed in his office.

Mr. Snell gave notice that he would, at an early day, ask leave to introduce a bill relative to the duties of assessors, highway commissioners, and overseers of highways.

On motion of Mr. Dunham,

*Resolved*, That the judiciary committee be instructed to inquire if there be any amendments necessary and proper to be made in the acts regulating the practice in justice's courts, and report by bill or otherwise.

On motion of Mr. Lamond,

*Resolved*, That the committee on the judiciary enquire into the ex-



pediency of so amending the law for taking bail in criminal cases, as to make the recognizance a lien on real estate.

The joint resolution relative to the construction of a ship canal around the falls of St. Marie, was read a third time and passed.

On motion of Mr. D. C. Walker,

The House took up the Governor's message, when the following references were made:

*Resolved*, That so much of the Governor's message as relates to the proposed amendment of the constitution and the revision of laws, be referred the committee on the judiciary.

That so much as relates to the university, school, state, state building, and salt lands, be referred to the committee on university, school, state and salt lands.

That so much as relates to the university and its branches, be referred to the committee on education.

That so much as relates to finance and taxes, be referred to the committee on ways and means.

That so much as relates to banks and incorporations, be referred to the committee on banks and incorporations.

That so much as relates to a protective tariff, be referred to the committee on agriculture and manufactures.

That so much as relates to the militia, be referred to the committee on the militia.

That so much as relates to the state prison, be referred to the committee on state prison.

That so much as relates to the geological and topographical survey of the state, be referred to a select committee.

That so much as relates to the subject of internal improvement, be referred to the committee on internal improvement.

That so much as relates to the claim of the late Attorney General and the assets of the Michigan State Bank, be referred to a select committee.

That so much as relates to the construction of a ship canal around the falls of St. Mary, and to the granting of land by the general government, for purposes of internal improvement, be referred to the committee on federal relations.

On motion of Mr. McLeod,

*Resolved*, That so much of the Governor's message as relates to the geological and topographical surveys of the state, be referred to a select committee of five.

The chair announced said select committee to consist of Messrs. McLeod, H. N. Walker, Rowland, Videto and Schoolcraft.

On motion of Mr. Murphy,

*Resolved*, That so much of the Governor's message as relates to appraisal laws, stop laws, and relief laws, be referred to the committee on the judiciary, and that they report their opinion of the same.

On motion of Mr. Pratt,

*Resolved*, That so much of the Governor's message as relates to the salary of the Attorney General, be referred to the committee on the judiciary.

The speaker announced that so much of the Governor's message as relates to the claim of the Attorney General, and the assets of the Michigan State Bank, was referred to the following select committee: Messrs. H. N. Walker, D. C. Walker, Ramsdell, Fairfield and Baldwin.

Mr. Ramsdell gave notice that at an early day he should ask leave to introduce a bill authorizing the proper authority to discharge all outstanding bonds and mortgages, heretofore given by the stockholders as security for redemption of the bills issued by the several banks under the general banking law.

Mr. Pratt offered the following concurrent resolution, which was adopted.

*Resolved*, (the Senate concurring,) That a committee of two members of the House, and one of the Senate, be appointed to procure the publication of a legislative manual for the use of the members and officers of this legislature.

On motion of Mr. Joslin,

*Resolved*, That the clerk be instructed to provide in book form, and lay upon the tables of members, a daily journal of this House.

On motion of Mr. H. N. Walker,

*Resolved*, That the name of the standing committee on "university, school, state and salt lands," be changed to that of "public lands."

On motion of Mr. Pratt, the House adjourned.

*Friday, January 5, 1844.*

The House met pursuant to adjournment, and, on calling the roll, there were no absentees.

Prayer by the Rev. Mr. Pilcher.

The Journal of yesterday was read and approved.

PETITIONS.

By Mr. Adams, of sundry inhabitants of the county of Branch, praying the passage of a law to prevent the racking or damming of streams for the purpose of catching fish. Referred to the committee on the judiciary.

By Mr. M. Hall, of sundry physicians of the county of Calhoun, relative to the time of holding the annual meetings of the medical society of said county. Referred to the committee on the judiciary.

By Mr. Hawley, the claim of William Clay, for damages. Referred to the committee on claims.

By Mr. Hayden, of sundry inhabitants of Van Buren county, praying for an appropriation on a state road from Schoolcraft to St. Joseph. Referred to the committee on roads and bridges.

By Mr. Dunham, of twenty-two legal voters of the county of Monroe, praying a reduction of the price of school lands, and for other purposes. Referred to the committee on public lands.

By Mr. Joslin, the claim of W. R. Thompson. Referred to a select committee, consisting of Messrs. Joslin, Tilson and Hayden, with power to take testimony.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Joslin,

*Resolved*, That the committee on public lands be instructed to inquire into the expediency of establishing an agency in the city of New York, or elsewhere, to induce emigration into the state of Michigan, and report by bill or otherwise.

On motion of Mr. White,

*Resolved*, That the committee on public lands be requested to inquire into the expediency of more effectually guarding the state lands.

Mr. Blindbury gave notice that he should, at some future day, ask leave to bring in a bill to repeal so much of the fourteenth section of "an act to provide for the assessment and collection of taxes," approved March 8, 1843, as relates to the owner or agent swearing to the value thereof.

Mr. Vickery sent up the following resolution, which was lost:

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of repealing all laws that authorize the action of replevin to be brought before a justice of the peace.

Mr. H. N. Walker presented the claims of G. F. Rood & Co, for stationery furnished the legislature and several offices of the state government. Referred to the committee on claims.

Mr. Rowland asked and obtained leave to introduce a bill to repeal the second section of an act entitled "an act relative to crimes and the punishment thereof," approved March 9, 1843.

Messrs Rowland, Blindbury and Rix, were appointed a committee to bring in said bill.

Mr. H. N. Walker presented the memorial of the receiver of the Detroit city bank, for relief. Referred to the committee on the judiciary.

Mr. M. Hall gave notice that, at some future day, he should ask leave to introduce a bill to incorporate the Battle Creek cemetery company.

The following communication was received from the secretary of state:

STATE DEPARTMENT, }  
Detroit, January 5, 1844. }

*To the Hon. E. H. LOTHROP, Speaker of the H. of Representatives:*

SIR—I have the honor to transmit to the House of Representatives, a copy of the report of the board of state auditors.

I am, very respectfully,

Your obedient servant,

R. P. ELDREDGE,

*Chairman Board State Auditors.*

And the report of the board of state auditors was referred to the committee on internal improvement.

The Speaker announced the following communication:

BOARD OF TRUSTEES, }  
Detroit, January 5, 1843. }

*To the Hon. E. H. LOTHROP,*

*Speaker of the House of Representatives:*

SIR—I have the honor to transmit to the House of Representatives a copy of the report of the Board of Trustees of the Michigan State Bank assets for the year 1843.

Very respectfully, your ob't serv't.,

CHAS. G. HAMMOND,

*Chairman Board of Trustees.*

The report of the Board of Trustees was referred to the select committee on the assets of the Michigan State Bank.

A certified copy of a joint resolution relative to an amendment of the constitution was received from the Secretary of State, which was read and laid upon the table.

On motion of Mr. Rowland,

*Resolved*, That the committee on education be instructed to inquire into the expediency of revising the law relative to primary or common schools.

The resolution relative to an amendment of the constitution was taken up, and agreed to by the following vote:

## YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Rix,
Ames,	Knight,	Rowland,
Barnard,	Knowlton,	Runyan,
Baldwin,	Lamond,	Saunders,
Berry,	Leland,	Schoolcraft,
Blindbury,	Livermore,	Sheldon,
Chester,	McLeod,	Shurtz,
Davis,	O. Miller,	Snell,
Delamatter,	H. L. Miller,	Stone,
Dunham,	Mosher,	Tillson,
Fairfield,	Murphy,	Videto,
Ferguson,	Parmelec,	Vickery,
Griffin,	P. Power,	Van Husen,
H. Hall,	R. D. Power,	D. C. Walker,
M. Hall,	Porter,	H. N. Walker,
Hawley,	Pratt,	White,
Hayden,	Ruehle,	Speaker,
Hebard,		

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## NAYS.

Mr. Ramsdell,

1

On motion of Mr. Murphy,

*Resolved*, That the clerk be required to lay upon the tables of members at least six copies each of the report of state treasurer, auditor general, commissioner of internal improvement, adjutant general and state geologist, and the governor's message.

Mr. Dunham offered a resolution in the following words:

*Resolved*, That the members of this House be furnished with another daily paper, or papers equivalent thereto.

Which was adopted by the following vote :

## YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Ramsdell,
Ames,	Knowlton,	Rix,
Baldwin,	Leland,	Schoolcraft,
Davis,	Livermore,	Tillson,
Dunham,	McLeod,	Vickery,
Ferguson,	H. L. Miller,	Van Husen,
Griffin,	Mosher,	D. C. Walker,
M. Hall,	Murphy,	H. N. Walker,
Hayden,	Parmelee,	White,
Hebard,		

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## NAYS.

Mr. Barnard,	Mr. Knight,	Mr. Saunders,
Berry,	O. Miller,	Sheldon,
Blindbary,	P. Power,	Shurtz,
Chester,	R. D. Power,	Snell,
Delamatter,	Porter,	Stone,
Fairfield,	Ruchle,	Videto,
H. Hall,	Rowland,	Speaker
Hawley,	Runyan,	

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Mr. Rowland, from the committee appointed for that purpose, brought in a bill to repeal the second section of an act entitled "an act relative to crimes and the punishment thereof," approved March 9, 1843, which was read twice and laid on the table.

Mr. Hebard offered the following resolution, which was rejected :

*Resolved*, That the committee on judiciary be requested to inquire into the expediency of so amending the exemption law as to allow practical farmers forty acres of land each

The House then went into committee of the whole, Mr. Pratt in the chair, on the bill to repeal the second section of the "act relative to crimes and the punishment thereof," and after a time spent thereon, the committee rose, and reported the bill back to the House without amendment, and

On motion of Mr. D. C. Walker, the bill was referred to the committee on the judiciary.

The following message was received from the Senate :

SENATE CHAMBER, }  
January 5, 1844. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return the House resolution relative to a legislative manual, and to respectfully inform the

House that the Senate have concurred therein, and have appointed Senator Cust as a committee on their part, under the resolution.

JAMES E. PLATT,

*Secretary of Senate.*

Messrs. Pratt and M. Hall were appointed a joint committee on the part of the House, to prepare the legislative manual.

Mr. Ramsdell introduced a joint resolution relative to an examination into the affairs of the Michigan Insurance company.

Mr. D. C. Walker moved to lay the resolution on the table, which motion was lost.

On motion of Mr. Fairfield,

The rule was suspended, and the joint resolution taken up for consideration.

Mr. H. L. Miller moved to amend by adding the Bank of St. Clair the Farmers & Mechanics Bank and its branches, the Oakland County Bank and the Bank of River Raisin, which motion did not prevail.

Mr. H. L. Miller moved to strike out the words, "with all convenient speed;" lost.

The joint resolution was then ordered to be engrossed for a third reading

Mr. D. C. Walker asked and obtained leave of absence for Mr. Joslin till Tuesday.

Mr. Murphy for Mr. Van Husen, for the same time

Mr. Shurtz for Mr. Runyan, for the same time.

On motion of Mr. H. L. Millar, the House adjourned.

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*Saturday, January 6, 1844.*

The House met pursuant to adjournment, and on calling the roll. Messrs. Joslin and Van Husen were absent on leave, and Messrs. McLeod and Schoolcraft without leave.

Prayer by Rev. Mr. Pilcher.

The journal of yesterday was read and corrected.

Mr. H. L. Miller presented a petition of inhabitants of the township of Tuscola, Saginaw county, praying for the passage of an act granting to said township jurisdiction over the south half of township ten, north of range seven east, and the south half of township ten,

north of range eight east. Referred to the committee on the organization of towns and counties.

#### REPORTS.

Mr. D.-C. Walker, from the committee on ways and means, to whom was referred the petition of Daniel Velsey, for extending the time for the completion of the tax roll, and the collection of taxes in the township of Norton, reported adverse to the prayer of the petition, which report was accepted.

Mr. Pratt, from the committee on enrollment and engrossment, reported the joint resolution relative to the Michigan Insurance Company, as correctly engrossed.

Mr. H. N. Walker, from the committee on public lands, to whom was referred the resolution to inquire into the expediency of establishing an agency in the city of New York, or elsewhere, to induce emigration to this state, reported that in the opinion of the committee, it is not expedient to establish such agency.

Mr. H. N. Walker, from the same committee, to whom was referred the resolution to inquire into the expediency of more effectually guarding the state lands, reported, that in the opinion of the committee it is expedient, and at some future day they will bring in a bill for that purpose.

The following communication was received from the Attorney General:

ATTORNEY GENERAL'S OFFICE, }  
*Detroit, January 6, 1844.* }

TO THE HON. E. H. LOTHROP, *Speaker of the House of Representatives:*

SIR:—I have the honor to transmit to the House of Representatives the annual report of the Attorney General.

Very respectfully,

Your obedient servant,

E. FARNSWORTH,

*Attorney General.*

The report of the Attorney General was referred to the committee of the judiciary.

Leave of absence till Tuesday was granted to Messrs. McLeod and Schoolcraft.



Mr. Stone gave notice that he should, at an early day, ask leave to introduce a bill to extend the time for the completion of the Havre Branch railroad.

Mr. Pratt gave notice that he would, at an early day, ask leave to introduce a bill to abolish capital punishment.

Mr. Pratt offered the following resolution :

*Resolved*, That when this House adjourn, it will adjourn to meet on Tuesday, the 9th instant, at 10 o'clock, A. M.

Mr. Rowland moved to lay the resolution on the table, which motion was lost.

The resolution was then adopted by the following vote :

## YEAS.

Mr. Adams,	Mr. M. Hall,	Mr. Pratt,
Ames,	Hebard,	Runyan,
Barnard,	Knowlton,	Sheldon,
Baldwin,	Lamond,	Shurtz,
Berry,	Livermore,	Snell,
Chester,	O. Miller,	Stone,
Davis,	Mosher,	Tillson,
Dunham,	Murphy,	D. C. Walker,
Fairfield,	P. Power,	H. N. Walker.
Ferguson,	R. D. Power,	Speaker.
Grihn,	Porter,	

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## NAYS.

Mr. Blindbury,	Mr. Leland,	Mr. Rowland,
Delamatter,	H. L. Miller,	Saunders,
H. Hall,	Parmalee,	Videto,
Hawley,	Ramsdell,	Vickery,
Hayden,	Ruehle,	White.
Knight,	Rix,	

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On motion of Mr. Dunham,

*Resolved*, That the committee on agriculture and manufactures, be instructed to inquire if any alterations in the laws in relation to fences be necessary, and report by bill or otherwise.

Mr. Hawley gave notice that at some future day he should ask leave to bring in a bill to regulate the laying out, altering and discontinuing public and private roads.

Mr. Murphy offered the following resolution which was lost :

*Resolved*, That the committee on internal improvement be instructed to inquire into the expediency of so altering the present law regulating the board of internal improvement so as to provide for the

appointment of two commissioners of internal improvement, one for the Southern railroad and one for the Central railroad.

Mr. D. C. Walker sent up the following resolution, which, on motion of Mr. Pratt, was laid on the table :

*Resolved*, That the committee on public lands be instructed to bring in a bill to remove the State land office to the capital of the State, and providing that all moneys received for lands shall be paid directly into the treasury of the State.

On motion of Mr. Livermore,

*Resolved*, That the committee on the judiciary be requested to inquire into the expediency of so amending section 8 of an "Act to provide for the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners and for other purposes," approved March 9, 1843, as to make said section apply only to actions founded on contract express or implied.

On motion of Mr. Baldwin,

*Resolved*, That the committee on agriculture and manufactures take into consideration the project of granting some aid to agricultural societies, and if deemed beneficial to bring in a bill for that purpose.

The joint resolution relative to an examination of the Michigan Insurance Company was taken up, read a third time and passed.

The following communication was received from the Senate :

SENATE CHAMBER, }  
January 6, 1843. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit "a bill to provide for the payment of jurors and for other purposes," which the Senate have passed and respectfully ask the concurrence of the House therein.

Also to return the "joint resolution proposing an amendment to the constitution," and the "resolution relative to the furnishing the members of the two houses, with the laws and journals of the last legislature," and to respectfully inform the House that the Senate have concurred therein.

Respectfully, &c.

JAS. E. PLATT,

*Secretary of the Senate.*

The "bill to provide for the payment of jurors, and for other purposes," was read twice, referred to the committee on the judiciary, and ordered printed.

On motion of Mr. Vickery, the House adjourned.

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*Tuesday, January 9, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Baldwin, Hawley, Pratt and Ramsdell were absent.

Prayer by the Rev. Mr. Harrison.

The journals of Saturday were read and approved.

PETITIONS.

By Mr. Saunders, of inhabitants of the township of Brownstown, praying for a division of the counties of Wayne and Monroe. Referred to the committee on the organization of towns and counties.

By Mr. Ames, a remonstrance of inhabitants of the village of Niles against the repeal of the 8th section of the act incorporating said village. Referred to the committee on roads and bridges.

Mr. Videto, from the committee on agriculture and manufactures, made the following report:

The committee on agriculture and manufactures to whom was referred a resolution to take into consideration the propriety of granting some aid to agricultural societies, beg leave to report, that the condition of the treasury, at this time, renders it inexpedient to render the aid called for under the resolution, but that the object in view is one worthy of legislative aid. The committee therefore recommend the subject to the attention of the next legislature, and ask to be discharged from its further consideration.

The report was accepted, and the committee were discharged from the further consideration of the subject.

Mr. Videto, from the same committee to whom was referred the resolution instructing them to inquire if any alteration was necessary in the laws relative to fences, reported "a bill relative to fences, and damages sustained by cattle, &c.," which was read twice, placed upon the general order, and ordered printed.

Mr. Lamond gave notice that he should at some future day ask leave

to introduce a bill, to incorporate the Genesee and Saginaw Navigation Company.

On motion of Mr. H. L. Miller,

*Resolved*, That the auditor general be and he is hereby required to report forthwith to this House, of how many persons, the large "extra force" consisted, which was employed by him in the business consequent upon the sales of lands delinquent for taxes—the amount paid to each and every person composing the said "extra force,"—the amount of expenses charged upon each tract or parcel advertised—and the aggregate amount received on account of said charges—whether or not the said amount was paid into the state treasury, if so, by what authority of law it was drawn from the said treasury, and whether or not the whole amount so received has been expended, and if so, for what purposes, stating item by item the said expenditures.

On motion of Mr. Delamatter,

*Resolved*, That the committee on the judiciary take into consideration the propriety of connecting section first of an act entitled "An act to prescribe the powers and duties of justices of the peace, in civil proceedings of the acts of 1841, by striking out the words "actions for a disturbance of a right of way, or any other easement."

On motion of Mr. Ferguson,

*Resolved*, That the committee on internal improvement be and they are hereby instructed to inquire of the board of internal improvement what disposition has been made of certain materials, such as timber, &c., for the construction of the Saginaw canal, near Bad river.

On motion of Mr. Joslin,

*Resolved*, That the committee on judiciary be instructed to bring in a bill to provide for the collection and distribution of money due on fines, and forfeitures of recognisance.

Mr. Murphy offered the following resolution which was adopted.

*Resolved*, That the committee on internal improvement be requested to inquire into the expediency of reducing the tolls on wheat and flour on the southern and central railroad.

On motion of Mr. Joslin,

Leave of absence for two days, was granted to Mr. Hawley.

Mr. H. N. Walker gave notice that he would ask leave to introduce

a bill relative to the record of deeds from the Governor and Judges of the Territory of Michigan, to lots in the city of Detroit.

Also, that he would at some future day ask leave to introduce a bill to amend an act entitled "An act for the transfer of certain causes from the supreme court to the court of chancery, and for other purposes."

Mr. Rowland moved to take up from the table, the resolution instructing the committee on public lands to bring in a bill to remove the state land office, and for other purposes, which motion was lost.

Mr. Knowlton gave notice that he would at some future day ask leave to introduce a bill to amend the act relative to the issuing and power of warrants in criminal cases.

Mr. H. N. Walker moved an adjournment, which was not carried.

Mr. Ruehle offered the following joint resolution, which, under the rule lays over one day:

*Resolved*, By the Senate and House of Representatives of the state of Michigan, That the committees on banks and incorporations in the Senate and House of Representatives be a joint committee, whose duty it shall be, to inquire into the expediency of repealing all acts or parts of acts which grant exclusive privileges or peculiar advantages to bankers, contrary to the constitution of the United States, and this state, and report by bill or otherwise.

On motion of Mr. Shurtz, the House adjourned.

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*Wednesday, January 10, 1843.*

The House met pursuant to adjournment, and on calling the roll, Mr. Hawley was absent on leave.

Prayer by the Rev. Mr. Harrison.

The journal of yesterday was read and corrected.

#### PETITIONS.

By Mr. Livermore, of A. Walcott, praying the legislature to grant relief for damages sustained by him, by the destruction of property by fire in the burning of the workshop in the State prison. Referred to the committee on claims.

By Mr. Berry, of sixty-two inhabitants of Lenawee county, praying that capital punishment may be abolished. Referred to the committee on the judiciary.

Mr. McLeod, of two hundred and fifty colored inhabitants of Wayne county, praying the expunction of the word "white" from article 2, sec. 1, of the constitution of the State of Michigan. Referred to the committee on the judiciary.

By Mr. Vickery, of sixty one legal voters of the county of Kalamazoo, praying legislative aid in the further protection of personal liberty. Referred to the committee on federal relations.

By Mr. Schoolcraft, of sundry inhabitants of Copper Harbor, Point Rawena, Lake Superior, Marquette county, for the organization of a new township. Referred to the committee on the organization of townships and counties.

By Mr. Ames, the remonstrance of the common council of the village of Niles, against the repeal of the eighth section of the act incorporating said village. Referred to the committee on roads and bridges.

By the Speaker, a memorial of the committee of finance of the board of regents, relative to the leasing of the Female Seminary lot in the city of Detroit. Referred to the committee on public lands.

#### REPORTS.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the petition of receivers of the Detroit City Bank for relief, reported adverse to the prayer of the petition, and were discharged from the further consideration of the subject.

Mr. Joslin, from the committee on internal improvement, who were instructed to inquire as to the disposition of certain materials, reported the following communication from the commissioner of internal improvement.

OFFICE OF INTERNAL IMPROVEMENT, }  
Detroit, January 9, 1844. }

*Hon. C. JOSLIN Ch'n. Committee on Internal Improvement :*

SIR—In answer to your inquiry as to "what disposition has been made of certain materials, such as timber, &c., for the construction of the Saginaw Canal near Bad River," I beg leave to state that in the year 1838 and 1839, a quantity of timber was delivered for the purpose of building locks on that work.

The timber has been delivered and all the business appertaining to the canal had been closed up some years before the present board had

any charge of the works. It is believed that the timber still remains at the place of its delivery, but is not of much value for any other purpose than for that which it was originally intended, and from the long time it has remained on hand cannot be of much value for that.

With great respect,

Your obedient servant,

THOS. W. WELLS,

*Acting Commissioner.*

The following communication was received from the commissioner of internal improvement :

OFFICE OF INTERNAL IMPROVEMENT, }  
*Detroit, January 10, 1844.* }

*Hon. E. H. LOTHROP, Speaker of the House of Representatives:*

SIR—In compliance with a joint resolution passed by the last legislature, I herewith transmit a report from the board of internal improvement :

With respect, your obedient servant,

THOS. W. WELLS,

*Acting Commissioner.*

The report was referred to the committee on internal improvement and ordered printed.

The Speaker announced the following message from the Senate :

SENATE CHAMBER, }  
*January 9, 1844,* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit “a Bill to define the crimes of adultery and fornication and to provide for the punishment of the same,” which the Senate have passed and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

J. E. PLATT,

*Secretary of the Senate.*

The “Bill to define the crimes of adultery and fornication, and to provide for the punishment of the same,” was read twice and referred to the committee on the judiciary.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Adams,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of so altering or amending all existing laws defining the powers and duties of justices of the peace, that where the words "to any constable of the county" occur it may be made to read "to the sheriff or any constable of the county."

Mr. McLeod gave notice that on to-morrow, he should ask leave to introduce a bill for the preservation of woodcocks, quails, partridges and pheasants, in the county of Wayne.

Mr. Videto offered the following resolution, which, on motion of Mr. H. N. Walker, was laid on the table.

*Resolved*, That from and after this day the House will hold two daily sessions.

Mr. Lamond gave notice that at some future day he should ask leave to introduce a bill authorizing Augustus C. Stevens and others, to take up certain streets in the village of Flint River.

Also, that he should, at no distant day ask leave to introduce a bill authorizing the extension of the time for the collection of taxes in the county of Genesee.

Mr. Tillson gave notice that he should at an early day, ask leave to bring in a bill to legalize certain roads therein mentioned, and for other purposes.

Mr. Rowland offered the following joint resolution, which was laid on the table:

*Resolved*, By the Senate and House of Representatives of the state of Michigan, That the present legislature adjourn *sine die*, on the first Thursday of February next.

Mr. Murphy offered the following resolution, which was not adopted:

*Resolved*, That the committee on judiciary be instructed to inquire into the expediency of increasing the fees of sheriffs in civil cases.

The joint resolution relative to banks, offered yesterday by Mr. Ruehle, was taken up, so amended as to read as follows and adopted :

*Resolved*, By the House of Representatives of the state of Michigan, That the committee on banks and incorporations, be instructed to inquire into the expediency of repealing all acts or parts of acts which grant exclusive privileges, or peculiar advantages to banks, contrary to the constitution of the United States or this state, and report by bill or otherwise.

On motion of Mr. Livermore, the House went into committee of the whole on the general order, Mr. Rowland in the chair, and after a



time spent thereon, the committee rose, and reported that they had had under consideration "a bill relative to fences and damages sustained by cattle," to which they had made an amendment, by striking out the second section, and asked the concurrence of House in said amendment.

The amendment of the committee was concurred in, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Pratt,

The resolution instructing the committee on public lands to bring in a bill for the removal of the state land-office to the capitol of the state, and for other purposes, was taken up for consideration.

Mr. Pratt moved to strike out all after the word "resolved."

After some discussion, the motion was withdrawn.

Mr. Ramsdell offered the following as a substitute, which was subsequently withdrawn:

*Resolved*, That the committee on public lands be instructed to report a bill providing that on any purchaser taking and paying for any land at the state land office, he shall take, and the commissioner deliver to him, a duplicate certificate of such purchase, describing the land and stating the amount of money paid: and that such purchaser shall not be entitled to a deed thereof, or to occupy or possess such land until said certificate be filed with the treasurer of the state.

The original resolution was then rejected, by the following vote:

## YEAS.

Mr. Blindbury,	Mr. Rowland,	Mr. Van Huse,
H. L. Miller,	Saunders,	D. C. Walker,
Porter,	Snell,	H. N. Walker,
Ruehle,	Tilson,	

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## NAYS.

Mr. Adams,	Mr. Hayden,	Mr. R. D. Power,
Ames,	Hebard,	Pratt,
Barnard,	Joslin,	Ramsdell,
Baldwin,	Knight,	Rix,
Berry,	Knowlton,	Runyan,
Chester,	Lamond,	Schoolcraft,
Davis,	Leland,	Sheldon,
Delamatter,	Livermore,	Shurtz,
Dunham,	McLeod,	Stone,
Fairfield,	O. Miller,	Videto,
Ferguson,	Mosher,	Vickery,
Griffin,	Murphy,	White,
H. Hall,	Parmelee,	Speaker.
M. Hall,	P. Power,	

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Mr. McLeod offered the following resolution:

*Resolved*, That the chairman of the committee on supplies and expenditures, be instructed to provide one paste brush of the value of fifty cents, for the use of the messengers of this House, and at the expense of the state.

Mr. Rowland moved to amend the resolution so as to appoint another chairman of the committee on supplies and expenditures.

Pending which amendment, the resolution was, on motion of Mr. Pratt, laid on the table.

The following message was received from the Senate:

SENATE CHAMBER, }  
January 10, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the joint resolution relative to an examination into the affairs of the Michigan Insurance Company of the city of Detroit, with a substitute, which the Senate have adopted therefor, and to respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

The Senate substitute for the joint resolution relative to an examination into the affairs of the Michigan Insurance Company, was concurred in by the House.

On motion of Mr. Ruehle,

*Resolved*, That the use of the Representative Hall be tendered to the Military Convention at such hours as it may not be occupied by the House.

On motion of Mr. Van Husen, the House adjourned.

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*Thursday January 11, 1844.*

The House met pursuant to order, and, in the absence of the Speaker, was called to order by Mr. Ramsdell.

On calling the roll there were no absentees.

Prayer by the Rev. Mr. Harrison.

The journal of yesterday read and approved.

PETITIONS.

By Mr. Livermore, two memorials of inhabitants of the valley of Grand River, relative to the improvement of said river which, on his motion, were laid on the table.

By Mr. Videto, two memorials on the same subject. Laid on the table.

By Mr. Knight, of 170 citizens of Eaton county, relative to the same subject. Laid on the table.

By Mr. Mosher, of 37 legal voters of fractional township eight, south of range eight west, praying for a division of said township.— Referred to the committee on towns and counties.

By Mr. Livermore, the claim of J. Farrand, late clerk of Jackson county, for costs. Referred to the committee on claims.

By Mr. White, of inhabitants of Lyons., Ionia county, for the organization of a new township. Referred to the committee on the organization of towns and counties.

By Mr. Shurtz, of supervisors of St. Joseph county, for the repeal of the latter clause of the 25th section of the tax law passed at the last session of the legislature. Referred to the committee on ways and means.

By Mr. Delamatter, the claim of G. W. Ranney for printing.— Referred to committee on claims.

By Mr. Parmelee, the claim of George F. Macy for services rendered the State in 1840. Referred to the committee on claims.

By Mr. Davis, the claim of Parshall and Foster, for damages sustained by them in the non-performance of a contract on the part of the State. Referred to a select committee of five, consisting of Messrs. Davis, Knight, Shurtz, O. Miller and Sheldon.

By Mr. Vickery, a memorial of James Parker, asking that the superintendent of public instruction be authorized to issue two certificates for a tract of land purchased by said Parker in 1837. Referred to the committee on public lands.

#### REPORTS.

Mr. D. C. Walker, from the committee on ways and means, reported a "Bill to provide for the payment of members and officers of the legislature," which was read a first and second time, and referred to the committee of the whole.

Mr. Pratt from the committee on enrollment and engrossment, reported the "bill relative to fences and damages sustained by cattle," as correctly engrossed.

Mr. Ramsdell from the committee on the judiciary, to whom was referred the petition of 349 citizens of Wayne county, asking the re-enactment of sections 1 and 5, of chapter 8, title 1, of part 4 of

the revised statutes, reported adverse to the prayer of the petition.—The report was accepted and the committee discharged.

Also reported back the petition of citizens of Branch co., relative to racking or damming streams for the purpose of catching fish, and asked to be discharged from the further consideration of the subject.

Also reported back the Attorney General's report, and recommending that no legislative action be had upon the subject.

Also, reported back the petition of sundry citizens of the township of Wayland, in Allegan county, in relation to certain highway taxes, and report adverse to the prayer of the petition.

Also, reported back the following resolution with the recommendation that no legislative action be had on the subject.

*Resolved*, That the committee on the judiciary take into consideration the propriety of amending section first of an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings (of the acts of 1841,) by striking out the words "actions for disturbance, of a right of way, or any other easement."

Also, reported back the following resolution, and state that in the opinion of the committee it is inexpedient to so amend the law.

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of so altering or amending all existing laws, defining the powers and duties of justices of the peace, that where the words "to any constable of the county" occur, it may be made to read "to the sheriff or any constable of the county."

Also, reported back the petition of 62 inhabitants of Lenawee county, for the abolishment of capital punishment, and report adverse to the prayer of the petition.

All of which reports were accepted and the committee discharged from the further consideration of the subjects.

Also reported back the Senate bill to define the crimes of fornication and adultery, and to provide for the punishment of the same, without amendment, and the bill was referred to the committee of the whole.

The Speaker announced the following communication from the Auditor General.

AUDITOR GENERAL'S OFFICE, }  
Detroit, January 10, 1844. }

*To the Speaker of the House of Representatives:*

SIR—The letter from Messrs. Joy & Porter, of which the enclosed

is a copy, had been withdrawn from the files of the trustees for the use of their solicitor in chancery to aid him in drawing a bill, and when the correspondence was copied for publication it was forgotten, it being still in his hands.

Yours respectfully,  
C. G. HAMMOND,  
*Auditor General,*  
*In behalf of the Trustees.*

The letter of Messrs. Joy & Porter was referred to the select committee on the assets of the Michigan State Bank.

Mr. Hayden gave notice that he would at an early day ask leave to bring in a bill to repeal all acts or parts of acts now in force in this State, prescribing and limiting the amount of moneys that Counties or Townships may legally levy and collect for County and Township purposes.

On motion of Mr. Fairfield,

*Resolved*, That the committee of ways and means be instructed to inquire as to the propriety of offering the various works of internal improvement of this State for sale in payment of the debts of this State at their cost value, and report to this House by bill or otherwise.

On motion of Mr. Berry,

*Resolved*, That the committee on supplies be ordered to direct the locks of the drawers in the tables of members to be repaired.

Mr. Saunders offered the following resolution, which was lost:

*Resolved*, That the committee on printing be authorized to procure 500 copies of the Governor's Inaugural Address and Message, to be printed in the German language by George Zahm, in Buffalo, a German printer.

Mr. Stone gave notice that he should, at an early day, ask leave to introduce a bill to amend the charter of the city of Monroe.

Mr. Berry offered the following resolution, which was not adopted:

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so altering the law regulating the assessment and collection of taxes, as to exempt personal property from taxation, equal in amount to the indebtedness of the person taxed.

On motion of Mr. Hebard,

*Resolved*, That the committee on the judiciary be requested to in-

quire into the expediency of amending section 7, of chapter 3, title 3, part 1st, of revised statutes relative to county surveyors, so that said surveyors shall, when their term of office expires, deposit their books containing the field notes and calculations of surveys with the county clerk of their respective counties for the benefit of all concerned.

The following message was received from the Senate :

SENATE CHAMBER, }  
January 11, 1844. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a “Joint resolution relative to furnishing copies of rules to Senators and Representatives,” which the Senate have adopted, respectfully ask the concurrence of the House therein: Also, “Joint resolution to promote the sale of public lands, and to induce immigration: Also, “a Bill relative to slander,” which the Senate have passed and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,

*Secretary of Senate*

The “joint resolution relative to furnishing copies of rules to Senators and Representatives” was read and referred to the committee of the whole.

The “joint resolution to promote the sale of the public lands, and induce immigration, was read and referred to the committee on ways and means.

The “bill relative to slander” was read twice and referred to the committee on the judiciary.

On motion of Mr. R. D. Power,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending an “act to provide for the organization of courts of Special Sessions, and to define their powers and duties,” approved March 19th, 1840, that a jury of six men only be required in the trial of any cause in said courts, and also to provide for the payment of costs by the defendant in cases of conviction

Mr. Walker, pursuant to previous notice asked and obtained leave

to introduce a bill to amend the act transferring certain causes from the supreme court to the court of chancery, and Messrs. H. N. Walker, D. C. Walker, and Baldwin were appointed a committee to bring in the bill.

Mr. H. N. Walker, from the committee appointed for that purpose, introduced a "bill to amend an act for the transfer of certain causes from the Supreme court to the court of Chancery, and for other purposes," which was read twice and referred to the committee on the judiciary.

The "bill relative to fences, and damages sustained by cattle," was taken up, read a third time, and the question being no its passage,

Mr. Sheldon moved to recommit the bill to a select committee, with instructions, which motion was lost.

Pending the question on the passage of the bill,

Mr. H. L. Miller moved an adjournment.

Mr. Rowland moved to amend the motion by adjourning till two o'clock P. M., which motion was lost.

The question then recurring on the motion to adjourn, it prevailed.

*Friday, January 12, 1844.*

The House met pursuant to adjournment, and on calling the roll the members were all present.

Prayer by the Rev. Mr. Harrison.

The journal of yesterday was read and corrected.

#### PETITIONS.

By Mr. Adams, the remonstrance of inhabitants of the township of Bronson, county of Branch, against the division of said township.— Referred to the committee on the organization of towns and counties.

By Mr. Delamatter, a memorial of A. M. Burroughs and 81 others, legal voters of the valley of Grand River, asking for an appropriation for the improvement of Grand River, which, on his motion, was laid on the table.

By Mr. White of T. D. Gilbert, asking to be reimbursed in a sum therein named, and for reasons therein set forth. Referred to the committee on claims.

Also, a claim for expenses incurred by S. Withye, sheriff of Kent county, while engaged in the arrest and examination of the supposed

murderers of the Glass family, on Looking Glass River. Referred to the committee on claims.

By Mr. McLeod, of Ross Wilkins and 215 others, legal voters and citizens of Wayne county, praying for the expunction of the word "white" from article 2, sec. 1. of the constitution of this State. Referred to the committee on the judiciary.

By Mr. Joslin, of J. Arnold or relief from limitation law on claims against this State, and for damages by the construction of the Central railroad.

Mr. Ramsdell moved to lay the petition on the table, which motion was lost.

Mr. Joslin moved to refer the petition to a select committee, which motion prevailed, and the petition was referred to a select committee consisting of Messrs. H. Hall, White and Pratt.

#### REPORTS.

Mr. Joslin, from the committee on internal improvement, made the following report which was accepted :

The committee have had under consideration a resolution in relation to a reduction of tolls on wheat and flour transported on the Southern and central railroads:

And report that no legislation in the premises is now necessary—that the whole matter is properly entrusted to the board of internal improvement—that the tolls on said road should be so graduated as to produce the greatest amount of revenue during the present embarrassment of the State finance.

Mr. Ramsdell from the committee on the judiciary, to whom was referred the "bill to repeal the 2d section of an act entitled an act relative to crimes and the punishment thereof," approved March 9, 1843, reported the same back with the recommendation that it be not passed. The report was accepted and the committee discharged from the further consideration of the bill.

Also, reported "A bill to amend chapter 2, title 8, and part 1 of the revised statutes, relative to medical societies," which was read twice and referred to the committee of the whole.

Mr. Pratt from the committee on enrolment reported as correctly enrolled a joint resolution relative to the examination into the affairs of the Michigan Insurance Company of the city of Detroit, and that



the same was presented, to the Governor for his approval on the 12th day of January,

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. M. Hall gave notice that at an early day he should ask leave to introduce a bill to amend chapter 1, title 2, part 2d of the revised statutes, relative to the descent of real estate.

On motion of Mr Lamond,

*Resolved*, That the committee on education be instructed to inquire into the expediency of so amending the 37th section of an act entitled an act relative to common or primary schools, that the words "according to age" in the fifth line of said section shall read according to qualifications.

Mr. Ruehle gave notice that at some future day he should ask leave to introduce a bill to amend "an act to repeal a part of chapter 8, title 5, part 1, of the revised statutes, and for other purposes," approved February 17, 1842.

Mr. Porter gave notice that he should at some future day ask leave to introduce a bill prohibiting the circulation of bank notes of a less denomination than five dollars

On motion of Mr. Baldwin,

*Resolved*, That the committee on printing be instructed to ascertain the cause why the journals and documents of this House for the year 1843, are not printed, and report to this house what action is necessary on its part to have them completed.

Mr. McLeod asked leave pursuant to previous notice, to introduce a bill to preserve woodcocks, pheasants, partridges and quails, in the county of Wayne; leave was not granted.

Mr. Lamond asked and obtained leave pursuant to previous notice to introduce a bill to extend the time for the collection of taxes in Genesee county, and Messrs. Lamond, Knight and Porter were appointed a committee to bring in a bill.

Mr. Rowland called up from the table the following resolution :

*Resolved*, That the chairman of the committee of supplies and expenditures, be instructed to provide one paste brush of the value of 50 cents, for the use of the messengers of this House, and at the expense of the State.

Mr. Pratt moved the indefinite postponement of the consideration

of the resolution, which motion, after some debate, was withdrawn.

Mr. Baldwin offered the following as a substitute:

*Resolved*, That the conduct of the chairman of the committee on supplies and expenditures, meets with the approbation of this House:

The substitute was adopted by the following vote:

#### YEAS.

Mr. Adams,	Mr. Hawley,	Mr. Porter,
Ames,	Hayden,	Pratt,
Barnard,	Hebard,	Ruehle,
Baldwin,	Joslin,	Rix,
Berry,	Knight,	Runyan,
Blindbury,	Knowlton,	Saunders,
Chester,	Lamond,	Sheldon,
Davis,	Leland,	Shurtz,
Delamatter,	Livermore,	Snell,
Dunham,	H. L. Miller,	Stone,
Ferguson,	Parmelee,	Videto,
Griffin,	P. Power,	H. N. Walker.
M. Hall,	R. D. Power,	Speaker. 39

#### NAYS.

Mr. H. Hall,	Mr. Mosher,	Mr. Schooolcraft,
McLeod,	Murphy,	Van Husen
O. Miller,		

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The resolution as amended was then adopted.

Mr. Hayden, pursuant to previous notice, asked and obtained leave to introduce a bill relative to the assessment and collection of taxes, for county and township purposes, and Messrs. Hayden, White and Runyan were appointed a committee to bring in the bill.

Mr. Murphy offered the following resolution which was lost:

*Resolved*, That the committee on education be instructed to inquire into the expediency of so amending the 33d section of the act relative to common or primary shcools, approved March 8th, 1843, as to strike out all after the word 'township' in the 7th line of said section.

On motion of Mr. D. C. Walker,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of providing by law, that executions may issue on judgments in justices courts, after two years from the rendition of such judgments, on the judgment creditor's showing to the satisfaction of the justice by affidavit, that such judgment remains unsatisfied in full or in part.

The House then took up the unfinished business, being the "bill re-

lative to fences and damages sustained by cattle," and the question being on its final passage,

Mr. Murphy moved that it be recommitted to the committee on agriculture and manufactures, with instructions to report by bill, providing that no cost shall be recovered to the plaintiff; an action for the recovery of damages sustained by injury done to land or crops by sheep, swine, horses, asses, goats or neat cattle, shall not be maintained unless said lands at the time of the injury done, is enclosed by a fence four and one half feet high in good repair, consisting of rails, boards, stone wall, logs, brooks, rivers, ponds, creeks, ditches, and hedges, which is consistent, equivalent to said fence or wall except when the beasts doing the damage break through that part of the division fence which the person sustaining the injury is not bound to keep in repair.

Pending the question on which motion, the further consideration of the bill was, on motion of Mr. Barnard, indefinitely postponed.

The House then went into committee of the whole on the general order, Mr. Livermore in the chair, and after a time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a bill to provide for the payment of members and officers of the legislature, which they reported back without amendment.

Also "a bill to define the crimes of fornication and adultery, and to provide for the punishment of the same," which they reported back

The "bill to provide for the payment of members and officers of the legislature was ordered to be engrossed for a third reading.

Mr. D. C. Walker offered a substitute for the "bill to define the crimes of fornication and adultery, and for the punishment of the same."

On motion of Mr. H. N. Walker,

The bill was laid on the table, and the substitute ordered printed.

On motion of Mr. Murphy, the House adjourned.

*Saturday, January 13, 1844.*

The House met pursuant to adjournment.

On calling the roll there were no absentees.

Prayer by the Rev. Mr. Harrison.

The journal of yesterday was read and corrected.

#### PETITIONS.

By Delamatter, the claim of J. H. Du Bois. Referred to the committee on claims.

By Mr. Adams, of John Parkinson, asking the adjustment of certain claims therein mentioned. Referred to the committee on public lands.

By Mr. H. N. Walker, of Z. Vollum, for furnishing books for the Auditor General's office. Referred to committee on claims.

#### REPORTS.

Mr. Pratt, from the committee on enrollment and engrossment, reported as correctly engrossed, the "bill to provide for the payment of members and officers of the legislature."

Mr. D. C. Walker, from the committee on ways and means, to whom was reported the "joint resolution to promote the sale of public lands, and induce immigration," reported the same back, and asked to be discharged from its further consideration. The report was accepted, and the committee discharged; and the resolution was placed on the general orders, and referred to the committee of the whole.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the resolution instructing the committee to bring in a bill to provide for the collection and distribution of money due on fines and forfeitures of recognizances, reported the same back, and asked to be discharged from its further consideration.

The question being on discharging the committee, it was decided in the negative.

Mr. Davis, from the select committee, to whom was referred the claim of Parshall and Foster, reported that they had had the same under consideration, and were constrained to report adversely to the prayer of the petitioners.

The report was accepted, and the committee discharged.

Mr. Ramsdell, from the judiciary com., to whom was referred the

bill to extend the time for the collection of taxes in the township of Flint, reported the same back, with the recommendation that it be not passed.

The report was accepted, the committee discharged, and the bill placed on the general orders, and referred to the committee of the whole.

Mr. Lamond, from the committee appointed for that purpose, introduced "a bill to extend the time for the collection of taxes in the county of Genesee, for the year 1843," which was read twice and referred to the committee on the judiciary.

Mr. Barnard moved that the bill be printed, which motion was lost.

The following message was received from the Senate:

SENATE CHAMBER,  
January 12, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a "joint resolution relative to the fine imposed on General Jackson, by Judge Hall," which the Senate have adopted, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,  
*Secretary of Senate.*

The "joint resolution relative to the fine imposed on General Jackson by Judge Hall," was read twice and referred to the committee on federal relations.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Livermore,

*Resolved*, That the committee on education be requested to inquire into the expediency of amending an act relative to common and primary schools, approved March 7, 1843, by repealing all that part of said act which requires the officers of school districts to be sworn to the faithful discharge of their duties.

Mr. Ferguson offered the following resolution, which, on motion of Mr. McLeod, was laid on the table :

*Resolved*, That this House will commence its afternoon sessions on Monday next, at 2 o'clock in the afternoon, and so continue until further ordered.

On motion of Mr. Dunham,

*Resolved,* That the committee on education be instructed to inquire into the expediency of so amending the law relative to common schools as to authorize the inhabitants of each school district to levy upon the taxable property of the district, such tax as shall with the amount received from the common school fund, be sufficient to support a school to be kept by a qualified teacher during four months in each year, or for a longer period as a majority of the electors of the district shall determine.

Mr. M. Hall gave notice that at an early day he should ask leave to introduce a bill to amend "an act providing for the equitable settlement of the estate of deceased persons," approved March 3, 1843.

Mr. Berry gave notice that at some future day he should ask leave to bring in a bill to amend the third section of the law regulating the assessment and collection of taxes.

Mr. Tillson gave notice that he should at an early day ask leave to introduce a bill in addition to an act to alter, lay out and establish certain State roads therein mentioned.

Mr. H. N. Walker, pursuant to previous notice, asked and obtained leave to bring in a "bill relative to the registry of certain deeds, and Messrs H. N. Walker, Chester and Rowland were appointed a committee to bring in the bill.

Mr. Joslin gave notice that he should at some future day ask leave to bring in a bill to amend section 6, part 3, title 4, chapter 5 of the revised statutes in relation to replevin.

Mr. Snell, in pursuance of previous notice, asked and obtained leave to introduce a bill relative to duties of assessors and highway commissioners, and Messrs. Snell, P. Power, and Dunham were appointed a committee to bring in the bill.

The House then took up the "bill to provide for the payment of members and officers of the legislature," and it was read a third time and passed.

The House resolved itself into a committee of the whole, on the general order, Mr. Barnard in the chair, and after a time spent thereon, the committee rose and reported that they had had under consideration "a bill to amend chapter 2, title 8, and part 1, of the revised statutes, relative to medical societies,"

Which they reported back without amendment and the bill was ordered to be engrossed for a third reading.

Also, "a joint resolution to promote the sale of public lands, and to induce immigration," with an amendment, to strike out all after the enacting clause, and the question being on concurring in the amendment made by the committee, it was concurred in by the following vote:

## YEAS.

Mr. Adams,	Mr. H. Hall,	Mr. R. D. Power,
Ames,	Hawley,	Porter,
Barnard,	Hayden,	Pratt,
Baldwin,	Hebard,	Ramsdell,
Berry,	Knowlton,	Rowland,
Blindbary,	Lamond,	Runyan,
Chester,	Leland,	Saunders,
Davis,	H. L. Miller,	Snell,
Fairfield,	Parneleo,	Stone,
Ferguson,	P. Power,	Vickery,
Griffin,		

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## NAYS.

Mr. Delamatter,	Mr. Mosher,	Mr. Tillson,
Dunham,	Murphy,	Videto,
M. Hall,	Ruehle,	Van Huse,
Joslin,	Rix,	D. C. Walker,
Knight,	Schoolcraft,	White,
Livermore,	Sheldon,	Speaker.
McLeod,	Shurtz,	

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The consideration of the enacting clause was then indefinitely postponed.

Also, "an act to extend the time for the collection of taxes in the township of Flint, for the year 1843," with an amendment to strike out all of the enacting clause, which amendment was concurred in by the House, and the consideration of the enacting clause indefinitely postponed.

Also, a "Joint resolution relative to furnishing copies of rules to Senators and Representatives," with an amendment striking all out after the enacting clause:

And the amendment of the committee was concurred in, and the question being on the disposition of the enacting clause, it was indefinitely postponed.

The following message was received from the Senate :

SENATE CHAMBER, }  
January 13, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “joint resolution relative to the St. Marie’s ship canal,” with a substitute which the senate have adopted therefor, in which they respectfully ask the concurrence of the House therein.

Respectfully, &c.,  
JAS. E. PLATT,  
*Secretary of the Senate.*

The substitute for the joint resolution relative to the St. Marie’s ship canal was read twice, and on motion of Mr. Schoolcraft, the resolution and substitute was laid on the table, and the substitute was ordered printed.

The Speaker announced the following message from the Senate :

SENATE CHAMBER, }  
January 13, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill to provide for the payment of members and officers of the legislature,” and to respectfully inform the House that the Senate have concurred therein.

Respectfully, &c.  
JAMES E. PLATT,  
*Secretary of Senate.*

And the “bill to provide for the payment of members and officers of the legislature,” was ordered to be enrolled.

A motion to adjourn was made and lost.

Mr. H. N. Walker, from the committee appointed for that purpose introduced “a bill relative to the registry of certain deeds,” which was read twice and referred to the committee on the judiciary.

Mr. Pratt pursuant to previous notice, asked and obtained leave to bring in a bill to abolish capital punishment, and Messrs. Pratt, Videto and H. L. Miller, were appointed a committee to bring in the bill.

Mr. Fairfield gave notice that he should at an early day, ask leave to bring in a bill to amend an act entitled an act authorizing William W. Bliss, administrator of Hervey Bliss deceased to convey certain real estate.

Mr. H. L. Miller moved an adjournment, which was lost.



Mr. Ferguson called up the report of the committee on internal improvement, relative to the disposition of certain materials furnished for Saginaw canal, and moved that the report of the committee, and the communication of the acting commissioner be referred to a select committee, which motion prevailed.

Messrs. Ferguson, Van Huse and Shurtz, were appointed said committee.

The following message was received from the Executive:

EXECUTIVE OFFICE, }  
 Detroit, January 13, 1844. }

*To the House of Representatives:*

I have this day approved and deposited in the office of the Secretary of State a "joint resolution relative to an examination of the affairs of the Michigan Insurance Company of the city of Detroit."

JOHN S. BARRY.

On motion of Mr. Shurtz, the House adjourned.

*Monday, January 15, 1844.*

The House met pursuant to adjournment, and on calling the roll there were no absentees.

Prayer by the Rev. Dr. Comstock.

The journal of Saturday was read and approved.

#### PETITIONS.

By Mr. Pratt, of Melvin Diako and 37 other legal voters of the county of Oakland, praying the legislature to take such legislative action as is necessary, for amending the constitution of this state, by expunging from the second article thereof, the word "white," and thus secure to all citizens of this state irrespective of color, equal political rights. Referred to the committee on judiciary.

By Mr. Murphy, of Jared Todd, and 72 other legal voters of the county of Hillsdale, praying the expunction of the word "white," from the second article of the constitution of this state. Referred to the committee on the judiciary.

By Mr. Livermore, of Gen. A. T. Bolton and 39 others, citizens of the state of Michigan, for the enactment of a law, for the organization of the militia of the state. Referred to the committee on militia.

By Mr. Griffin, of citizens of the township of Marcellius, in the county of Cass, for the passage of an act legalizing the proceedings of township officers. Referred to the committee on the judiciary.

By Mr. Ames, of inhabitants of the township of Weesaw, Berrien county, praying that township seven, south of range nineteen west, may be set off into a separate township. Referred to the committee on the organization of towns and counties.

By Mr. Knight, of the supervisors of Eaton county, asking for the repeal of the law limiting the tax for township purposes to four mills on a dollar. Referred to the committee on ways and means.

By Mr. Murphy, of Jared Todd and 99 other citizens of Hillsdale county, for the enactment of a law for the better protection of personal liberty, prohibiting, under certain penalties, any officers of this state from taking cognizance of claims for fugitive slaves. Referred to the committee on federal relations.

By Mr. Griffin, of the board of supervisors of Cass county, praying for an amendment of the tax law, approved March 8th, 1843, and for other purposes. Referred to the committee on ways and means.

By Mr. Knight, of Hiram Bowen, and of 36 others, citizens of the township of Kalamo, in the county of Eaton, in relation to the rejected tax for the year 1842. Referred to the committee on ways and means.

By Mr. H. N. Walker, of E. B. Harrington, Reporter, &c., in regard to the publication of the decisions of the supreme court and the court of chancery, which memorial, on his motion, was referred to a select committee, consisting of Messrs. H. N. Walker, Fairfield and Joslin.

Also, the petition of John Biddle, and Eli Bradshaw, and 200 other citizens of Wayne county, for the repeal of the supervisor system, so far as applicable to Wayne county. Referred to a select committee, consisting of Messrs. Rowland, Stone and Blindbury.

Mr. H. N. Walker also presented certain claims for furnishing supreme court. Referred to the committee on claims.

Also, the claim of G. F. Rood & Co. Referred to the committee on claims.

#### REPORTS.

Mr. Schoolcraft, from the committee on federal relations, to whom

was referred the Senate "joint resolutions relative to the fine imposed on Gen. Jackson by Judge Hall," reported the same back with an amendment, striking out the words "with interest from date of payment, to," in the 5th line of the first resolution, and adding at the end of the same resolution, the words "with interest," which report was accepted and the committee discharged, and the joint resolutions were referred to the committee of the whole.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the Senate "bill to provide for the payment of jurors and for other purposes," reported the same back with a substitute.

The report was accepted and the bill and substitute were referred to the committee of the whole.

Mr. Pratt from the committee on engrossment and enrollment, reported as correctly engrossed the bill to amend chapter two, title eight and part one of the revised statutes, relative to medical societies.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the petition of ol' Mariah Brears, and others, reported the same back, accompanied by a "bill to authorize the conveyance of certain real estate," which was read twice and referred to the committee of the whole.

— Also, reported back the memorial of the board of supervisors of the county of Wayne, relative to the time of meeting of the board of supervisors, &c., and recommended that no legislative action be had. The report was accepted and the committee discharged.

Also, reported back the Senate "bill relative to slander" without amendment, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

- Mr. Dunham from the committee on printing made the following report:

The committee on printing in answer to a resolution passed the House of Representatives of January 12, instructing said committee to inquire in relation to the journals and documents of the legislature of 1843, when they will be completed, and if any further legislation be necessary, &c., report that the journals are already printed and in the hands of the binder, and that the documents soon will be, and no further legislation is necessary to ensure their speedy completion.

Mr. Ramsdell from the committee on the judiciary, to whom was

referred the "bill to amend an act for the transfer of certain causes from the supreme court to the court of chancery, and for other purposes," reported the same back without amendment and recommended its passage.

The report was accepted, and the bill was placed on the general order and referred to the committee of the whole.

Also, reported a bill to amend the 21st section of an act entitled "an act to provide for the assessment and collection of taxes," approved March 8, 1843, which was read twice and referred to the committee of the whole.

Mr. Pratt from the committee on enrollment and engrossment, reported the "bill to provide for the payment of officers and members of the legislature," as correctly enrolled, and that the same was this day presented to the Governor for his approval.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Rowland offered the following resolution, which, on motion of Mr. Joslin, was laid on the table :

*Resolved*, That from and after this day, this House will hold two sessions each day, until further ordered ; the morning session to commence at ten o'clock A. M. and the afternoon session to commence at half past two o'clock P. M.

On motion of Mr. Ruehle,

*Resolved*, That the committee on ways and means be instructed to inquire into the expediency of bringing in a bill making provision for a suitable allowance to the widow and children of Robert Greenfield, deceased, who lost his life in the service of the State by being instantly killed in the transferring of a railroad engine from a steamboat to the wharf in the city of Detroit, and when acting under the direction of State authority, and under circumstances which forbid even the supposition of carelessness or want of prudence on his part.

On motion of Mr. H. L. Miller,

*Resolved*, That the committee on the organization of towns and counties be and they are hereby instructed to bring in a bill to change the name of the township of Faymouth in the county of Saginaw, to that of Taymouth, at the special request of the inhabitants of said township.

On motion of Mr. Ruehle,

*Resolved*, That the committee on banks and incorporations, be in-

structed to inquire into the expediency of repealing the charter of the Kalamazoo Mutual Insurance Company.

On motion of Mr. Murphy,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of changing the day of holding probate courts, to some day of the week other than Monday.

Mr. D. C. Walker gave notice that at some future day he shall ask leave to introduce a bill to amend an act entitled "an act to prescribe the powers and duties of justices of the peace in civil proceedings," approved April 9th, 1841, and the act amendatory thereto, approved February 17, 1842.

Mr. Vickery introduced a "preamble and joint resolution authorizing the superintendent of public instruction to issue certificates to certain persons therein named," which was read twice and referred to the committee on public lands.

Mr. Griffin gave notice that at some future day he should ask leave to bring in a bill to grant bounties for the destruction of wolves.

Mr. H. N. Walker gave notice that on to-morrow he should ask leave to introduce a bill to provide for the foreclosure of mortgages.

Mr. Baldwin introduced a preamble and joint resolution relative to the public lands, which was read twice and referred to the committee on public lands.

Mr. Schoolcraft introduced a preamble and joint resolution relative to the construction of a road from Saginaw to Michilimackinac and the St. Marie, which was read twice and referred to the committee on federal relations.

On motion of Mr. Baldwin,

*Resolved*, That the committee on education be instructed to inquire into the expediency of so amending the school law, as to require and empower the officers of a school district to assess and collect all demands against the district.

On motion of Mr. Videto,

*Resolved*, That the committee on the judiciary be requested to inquire into the expediency of amending the eighty-first section of an "act to provide for the assessment and collection of taxes," approved March 8th, 1843, by defining the time that county treasurers shall deliver to the board of supervisors an accurate statement thereof.

On motion of Mr. Vickery,

*Resolved*, That the Auditor General be instructed to prepare and transmit to this House, at an early day, a statement of the annual expenses of the geological department, from its establishment to the present time ; also, a list of the officers and clerks employed therein, with the salary or pay of each, whether fixed by law or otherwise, together with such other information connected with this subject as will enable the House to determine whether the interests of the people do not call for *retrenchment* in this department of our government.

Mr. Runyan moved to reconsider the vote, by which the consideration of the enacting clause of the "joint resolution to promote the settlement of public lands, and to induce immigration," was indefinitely postponed, which motion prevailed, and

On motion of Mr. Shurtz, the enacting clause was laid on the table.

The "bill to amend chapter two, title eight, and part one, of the revised statutes, relative to medical societies," was taken up, read a third time and passed.

The House then went into committee of the whole on the general orders, Mr. McLeod in the chair, and after a time spent thereon, the committee rose and reported that they had had under consideration a "bill to authorize the conveyance of certain real estate," which they reported back without amendment.

The report was accepted, and the question being on ordering the bill to be engrossed for a third reading, it was decided in the negative, so the bill was lost.

The committee of the whole also reported back the Senate "bill to provide for the payment of jurors, and for other purposes," together with the substitute, without amendment.

The report was accepted, and the bill and substitute were laid on the table, and the substitute was ordered printed.

The following message was received from the Senate :

SENATE CHAMBER, }  
January 15, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "a bill to attach certain lands to the township of Georgetown," and "a bill to provide

for the payment of the claim of Alfred French," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAMES E. PLATT,

*Secretary of Senate.*

The "bill to attach certain lands to the township of Georgetown," was read twice and referred to the committee on the organization of towns and counties.

The "bill to provide for the payment of the claim of Alfred French," was read twice and referred to the committee on claims.

The following message was received from the Executive :

EXECUTIVE OFFICE,  
Detroit, January 15, 1844. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the secretary of state, "an act to provide for the payment of officers and members of the legislature."

JOHN S. BARRY.

Mr. White moved to take up the enacting clause of the "joint resolution to promote the sale of public lands, and to induce immigration," which motion did not prevail.

Mr. D. C. Walker called up the Senate "bill to define the crimes of fornication and adultery, and to provide for the punishment thereof," together with the House substitute.

Mr. Murphy moved to refer the bill and substitute to the committee of the whole, which motion was lost.

Pending the question on the adoption of the substitute,

On motion of Mr. H. L. Miller, the House adjourned.

*Tuesday, January 16, 1844.*

The House met pursuant to adjournment, and on calling the roll, Mr. Murphy was absent.

Prayer by the Rev. Mr. Ten Brook.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Dunham, of Samuel Nichols and Jeremiah Howe, and 21

other legal voters of Monroe county, praying the legislature to take the necessary action for amending the constitution of this state by expunging from the 2d article thereof the word "white." Referred to the committee on the judiciary.

Also, of Samuel Nichols, and 27 other legal voters of the county of Monroe, for the enactment of some law for the further protection of personal liberty. Referred to the committee on federal relations.

Also, of 42 inhabitants of Monroe, for the enactment of some law punishing the crimes of fornication and adultery. Laid on the table.

By Mr. D. C. Walker, of 286 citizens of Macomb county, asking that Charles W. Chapel may be allowed to construct a feeder to the Clinton and Kalamazoo canal, and receive therefor a lease of one square foot of water for twenty years, to be taken from said canal, at the village of Utica, in said county. Referred to the committee on internal improvement.

By Mr. P. Power, of 73 citizens of the village of Rochester, Oakland county, on the same subject as the foregoing petition. Referred to the committee on internal improvement.

By Mr. Pratt, of Melvin Drake, and 60 other citizens of Oakland county, asking the enactment of a law for the further protection of personal liberty, and for other purposes. Referred to the committee on federal relations.

By Mr. D. C. Walker, the claim of Charles W. Chapel, for unpaid estimates on the Clinton and Kalamazoo canal: Referred to the committee on claims.

By Mr. McLeod, the claim of Daniel Thompson, sheriff of Wayne county, for certain services therein specified. Referred to the committee on claims.

#### REPORTS.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the resolution for inquiring into the expediency of changing the day of holding courts of probate, reported adversely to the expediency of such change.

Also, reported adversely to the expediency of amending the 81st section of an act providing for the assessment and collection of taxes.

Both of which reports were accepted, and the committee discharged.

Mr. Vickery, from the committee on claims, to whom was referred



the Senate "bill to provide for the payment of the claim of Alfred French," reported the same back without amendment, and recommended its passage.

The report was accepted, and the bill placed on the general order, and referred to the committee of the whole.

Mr. Pratt, from the committee on engrossment and enrollment, reported the "joint resolution proposing an amendment to the fourth section of article four of the constitution," as correctly enrolled, and that the same was this day presented to the governor for his signature.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the resolution of inquiry, into the expediency of reducing the number of jurors to six, in courts of special sessions, and to provide that the defendant pay the costs, report adversely to the expediency of such reduction, as it would infringe on section 10, article 1, of the constitution of this state. The report was accepted, and the committee discharged.

Also, reported back the "bill relative to the registry of certain deeds," without amendment, and recommended that it be not passed.

The report was accepted, and the bill referred to the committee of the whole.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom was referred the Senate "bill to attach certain lands to the township of Georgetown," reported the bill back without amendment, and recommended its passage.

The report was accepted and the bill referred to the committee of the whole.

Mr. Schoolcraft, from the committee on federal relations, made the following report, which was accepted:

The committee on federal relations, to whom was referred so much of the governor's message as relates to the construction of a ship canal around the falls of St. Marie, and to the granting of land by the general government, for the purposes of internal improvement, have given the subject due consideration, and have instructed me, as their chairman, to report, that the same subject has been brought before the House, under authority of "joint resolutions relative to the St. Marie's ship canal at the Saut de Ste Marie," and that no farther action, by this House, is, at present, deemed necessary.

Mr. Shurtz, from the committee on roads and bridges, made the following report, which was accepted:

The committee on roads and bridges, to whom was referred the memorial of the citizens of Niles, in the county of Berrien, praying for the alteration of the eighth section of the act incorporating said village, respectfully report, that they have had the same under consideration, and while they acknowledge the evil complained of by the petitioners, to exist, they are still of the opinion that legislative action, in accordance with the prayer of the petition, cannot consistently be had at this time. Under the provision of the revised statutes which requires such petitioners to give at least thirty days' notice of such petition, (as your committee are informed, has not been complied with.) While your committee entertain this view, they feel constrained, under the circumstances of the case, to report adversely to the petition, but are, nevertheless, of the opinion, that sound policy and equal justice would dictate that every class of citizens, of whatever occupation or profession, naturally look with confidence to the government they support, for protection of their rights and the encouragement due to industry and equal rights; which confidence should never be misplaced, and it is only when public good imperiously demands it. While your committee are giving these views, when such sacrifices are necessary, your committee indulge the hope that the future policy of the state in regard to its chartered privilege may be such as all shall concur in its justice, and have no cause of complaint from any portion of our fellow citizens.

All of which is respectfully submitted by your committee.

Mr. Rix, from the committee on the militia, made the following report, which was accepted and the committee discharged:

The committee on the militia, to whom was referred the petition of Capt. I. S. Love and others, composing a volunteer company in the militia of this state, known as the Napoleon artillery, praying that the sum of twenty-one dollars, paid by them for the transportation, on the Central railroad, of a piece of artillery belonging to the state, may be refunded, respectfully report:

That, having given the subject due consideration, they have arrived at the conclusion that, although they believe it to be just that every reasonable facility should be afforded by the state to the uniformed companies, both by way of transportation of their arms and of them-

selves, on the railroads belonging to the state, to and from all regular encampments intended for their improvement in discipline; and, also, that all arms belonging to the state, consigned to the charge of companies or officers, should be transported at the expense of the state to the several posts or armories;—yet they are unwilling to recommend the example of retrospective legislation, especially in an instance like the one in question, when the party in charge of the property received it on their own application, and with the knowledge that they were to defray the expense of transportation.

The allowance of the claim might lead to others of a similar nature, and occupy more time and expense in legislating upon their merits than the value even of the property in question. But, to prevent the necessity of a recurrence of this character, and render but an act of justice to the patriotism of those who volunteer, uniform and devote a portion of their time in perfecting themselves in the art of war, for the protection and defence of the commonwealth, and at their own expense, the committee will, at a future day, introduce a bill to facilitate the movements of the respective uniformed volunteer corps of the militia of this state, which shall embrace a remedy for this and other causes of complaint.

And the committee ask to be discharged from the further consideration of said petition.

The following message was received from the executive:

EXECUTIVE OFFICE, }  
Detroit, January 16, 1844. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the secretary of state, a joint resolution proposing an amendment to the constitution.

JNO. S. BARRY.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. P. Power offered the following preamble and resolution, which were not adopted :

*Whereas*, life, liberty and the pursuit of happiness is the ruling principle of man, and as the destructive monster, intemperance, has obtruded himself upon our peaceful path, to the annoyance of our pursuits by dethroning our reason, (the greatest of Heaven's gifts,) and the destruction of human life and happiness; be it, therefore;

*Resolved*, That the hall of the House of Representatives be open on Thursday evening of each week during the session, to the members and other persons who may think proper to attend for temperance meeting; that thereby the social condition of the human race may be ameliorated throughout our happy land.

Mr. H. L. Miller moved to reconsider the vote by which the resolution calling on the auditor general for information relative to the expenses of the geological department, was adopted;

Which motion prevailed, and the resolution was laid on the table.

Mr. Baldwin, gave notice that at some future day he should ask leave to bring in a bill to amend the "act to prescribe the powers and duties of justices of the peace, in civil proceedings," approved April 9, 1841.

Mr. Rix gave notice that he will at some future day ask leave to introduce a bill for the more efficient and better organization of the militia of the state.

Mr. Runyan gave notice that at some future day he should ask leave to introduce a bill to amend part 1, title 6, chapter 4 of the revised statutes.

Mr. H. N. Walker asked and obtained leave, in pursuance of previous notice, to bring in a bill to provide for the foreclosure of mortgages, and Messrs. H. N. Walker, Fairfield and Joslin, were appointed a committee to bring in the bill.

Mr. Tillson, in pursuance of previous notice, asked and obtained leave to bring in a bill to legalize certain roads therein mentioned, and for other purposes, and Messrs. Tillson, Berry, and Leland were appointed a committee to bring in the bill.

The House then took up the unfinished business, being the "Senate bill to define the crimes of fornication and adultery, and to provide for the punishment thereof," together with the House substitute therefor.

The question being on the adoption of the substitute.

Mr. Murphy moved to amend the substitute by striking out the word "five" before "years," and inserting "two."

A division of the question was called for, and the question being on striking out, it was lost.

Mr. Pratt offered the following to stand as sections 3 and 4, of the substitute:

Section 3. The evidence of any person participating in either the crime of adultery or a felony, as defined in the first section, shall not be received on the trial of any person indicted or prosecuted under this act.

Section 4. This act shall take effect and be in force in ninety days from and after its passage.

And the question being on inserting section 3, it was decided in the negative, and section 4 was then withdrawn.

Mr. Porter moved to amend as follows: which motion was lost:

Strike out all after the word 'wife' in the 3d line to the word 'shall,' in the 4th line, and to add to 1st section any married woman who shall have sexual intercourse with and carnally know any man not being her husband, shall be deemed to have committed adultery and on conviction thereof shall be punished by imprisonment in the county jail, not more than one year, or by fine not exceeding one hundred dollars or by both in the discretion of the court.'

Mr. Saunders moved the previous question, which motion was not sustained.

Mr. Murphy moved to amend by striking out the words "to be guilty of felony," in the fourth line, which motion was lost.

Mr. Baldwin moved to amend by inserting between the words 'have' and "sexual" in the third line of the first section, the word "voluntary" and the same amendment in the first line of the second section, which motion was lost.

Mr. Rowland moved the previous question, which was sustained.

The question being on adopting the substitute, it prevailed by the following vote :

## YEAS.

Mr. Adams,  
Ames,  
Blindbury,  
Dunham,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Haydon,  
Hawley,  
Joslin,

Mr. Lamond,  
Leland,  
H. L. Miller,  
Mosher,  
Parmelee,  
P. Power,  
Porter,  
Ruehle,  
Rix,  
Rowland,  
Runyan,

Mr. Saunders,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Vickery,  
Van Husan.  
D. C. Walker,  
White,  
Speaker.

## NAYS.

Mr. Barnard,  
Baldwin,  
Berry,  
Chester,  
Delamatter,  
Davis,  
Fairfield,

Mr. Hebard,  
Knight,  
Knowlton,  
Livermore,  
McLeod,  
O. Miller,  
Murphy,

Mr. R. D. Power,  
Pratt,  
Ramsdell,  
Schoolcraft,  
Sheldon,  
Videto,  
H. N. Walker, 21

The question then being on ordering the bill to a third reading, it was decided in the affirmative by the following vote :

## YEAS.

Mr. Adams,  
Ames,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Dunham,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,

Mr. Joslin,  
Knowlton,  
Lamond,  
Leland,  
O. Miller,  
H. L. Miller,  
Mosher,  
Parmelee,  
P. Power,  
R. D. Power,  
Pratt,  
Ruchte,  
Rix,  
Rowland,

Mr. Runyan,  
Saunders,  
Schoolcraft,  
Sheldon  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Huson,  
D. C. Walker,  
White,  
Speaker, 42

## NAYS.

Mr. Barnard,  
Delamatter,  
Fairfield,  
Knight,

Mr. Livermore,  
McLeod,  
Murphy,

Mr. Porter,  
Ramsdell,  
H. N. Walker, 11

The House then went into a committee of the whole on the general order, Mr. Schoolcraft in the chair, and after a time spent thereon, the committee rose, and by their chairman reported that they had had under consideration, a "bill to provide for the payment of the claim of Alfred French," on which they had made some progress, and asked leave to sit again: leave was granted.

Also, a bill to amend an "act for the transfer of certain causes from the supreme court to the court of chancery and for other purposes," which they had amended by striking out all after the enacting clause.

The amendment of the committee was concurred in, by the House, and the consideration of the enacting clause was laid on the table.

Also, "a bill to attach certain lands to the township of Georgetown" which they reported back without amendment, and the bill was ordered to a third reading.

Also, "a joint resolution relative to the fine imposed on Gen. Jackson, by Judge Hall," which they reported back without amendment, and the "joint resolution" was ordered to a third reading.

Also, "a bill relative to slander," which they reported back without amendment.

Mr. H. N. Walker moved to lay the bill on the table, which motion was lost, and the bill was ordered to a third reading.

Also, "a bill to amend the 21st section of an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1843," which they reported back with an amendment, striking out the word "September," and inserting "October."

The bill was laid on the table, and ordered printed.

The following communication was received from the superintendent of public instruction:

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }  
January 16, 1844. }

TO THE HON. E. H. LOTHROP, *Speaker of the House of Representatives:*

I have the honor herewith to transmit a copy of my annual report for the past year, prepared and printed for the use of the legislature, as required by law

Very respectfully,

Your ob't servant,

O. C. COMSTOCK,

*Superintendent Public Instruction.*

And the communication and report were referred to the committee on education.

The following message was received from the Senate :

SENATE CHAMBER, }  
January 16. 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit "a bill to amend

the charter of the village of Marshall," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully &c.,

J. E. PLATT,

*Secretary of Senate.*

And the "bill to amend the charter of the village of Marshall," was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Videto, the House adjourned.

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*Wednesday, January 17, 1844.*

The House met pursuant to adjournment, and on calling the roll, the members were all present.

Prayer by the Rev. Mr. Ten Brook.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. M. Hall, of S. S. Church, and 92 other citizens of the counties of Eaton and Calhoun, that certain non-resident highway taxes mentioned therein, may be appropriated to the construction and improvement of the state road leading from Marshall, in the county of Calhoun *via* Belevue and Vermontville, to Ionia.

By Mr. Shurtz, of L. C. Mathews, and 21 others, citizens of St. Joseph county, for the revision of the existing laws relative to school and university lands. Referred to the committee on public lands.

By Mr. Livermore, of Isaac N. Stage, for relief relative to damages sustained by him in consequence of central railroad passing through his lands. Referred to the committee on internal improvement.

By Mr. D. C. Walker, of Loren Andrus, and others, relative to certain salt lands in Macomb county. Referred to the committee on public lands.

By Mr. Ramsdell, two petitions from citizens of Washtenaw county, for the enactment of a law for the better protection of personal liberty. Referred to the committee on federal relations.

Also, two petitions from citizens of Washtenaw county, asking the expunction of the word "white" from the second article of the constitution of this state. Referred to the committee on the judiciary.

By Mr. Fairfield, of William L. Greenly, J. H. Cleveland, and



eighty-seven other inhabitants of the county of Lenawee, and Seba Murphy, and thirty-four other inhabitants of the county of Monroe, in behalf of John Silk, asking relief for damages sustained by the loss of his leg, occasioned by the cars running over him whilst in the employ of the state on the southern railroad. Referred to the committee on claims.

By the Speaker, the claim of Gales & Seaton. Referred to the committee on claims.

By Mr. Livermore, the memorial of a committee of citizens of the central part of the state, relative to losses sustained by the burning of wool in the workshop of the state prison, which he moved to refer to a select committee ; which motion was lost.

The memorial was then referred to the committee on claims.

By Mr. Tillson, of 35 legal voters of the county of Macomb, asking that Charles W. Chapel, may be allowed to construct a feeder to the Clinton and Kalamazoo canal, and receive therefor a lease of one square foot of water for twenty years, to be taken from said canal in the village of Utica. Referred to the committee on internal improvement.

#### REPORTS.

Mr. Vickery, from the committee on claims, to whom was referred the claims of C. W. Chapel, made the following report ; which was accepted, and the committee discharged.

That they have examined two claims of C. W. Chapel, one amounting to two hundred thirty-three dollars, and three cents, and the other to seven hundred sixty-eight dollars, and forty-five cents, both for estimates of work done on the Clinton and Kalamazoo canal, in 1841 ; that the said Chapel was the agent and assignee of Calvin C. Parks, the original contractor ; and that by an act of the legislature, approved the 15th of February, A. D., 1842, "the claim of Calvin C. Parks" supposed to be indetical with those above described—was referred to the state treasurer, secretary of state, and auditor general, who were authorized to investigate into the merits of said claim, and, if found to be just, to endorse the amount thereof on a certain note which the state then held against said Parks. Thus it seems there is no evidence to sustain the claim of said Chapel, and the committee having jurisdiction over the matter, ask to be discharged from its further consideration.

Mr. H. N. Walker, from the committee on public lands, to whom was referred the "joint resolution authorizing the superintendent of public instruction, to issue certificates to certain persons named therein," reported the same back with an amendment, striking out the words "superintendent of public instruction," and inserting "commissioner of land office." The report was accepted, and the joint resolution was referred to the committee of the whole.

Mr. Ramsdell, from the committee on the judiciary to whom was referred the "bill to extend the time for the collection of taxes in the county of Genesee for the year 1843," reported the same back, and recommended that it be not passed. The report was accepted and the bill referred to the committee of the whole.

Mr. Vickery, from the committee on claims, to whom was referred the claims of Anthony King, reported as follows, which report was accepted and the committee discharged:

The committee on claims have had under consideration the claim of A. King, for estimate of work done on the Clinton and Kalamazoo canal, in 1841, and authorized their chairman to report the same back to the House and recommend its reference to the board of state auditors.

The claim of Anthony King was referred to the board of state auditors.

Mr. McLeod, from the committee on education, made the following report, accompanied by a bill:

The committee on education, to whom was referred certain resolutions of instruction, touching the expediency of modifying the existing laws in relation to common or primary schools, have had the same under consideration, and unanimously present the subjoined

#### REPORT.

The present school law may, in the opinion of your committee, be liable to many objections. Inconveniences in practice are incident to the operation of a new and complex system of instruction. Yet it is preferable to submit to temporary difficulties rather than to legislate anew on a subject in which a permanent and settled policy is as much to be consulted as correctness of principle, and propriety of detail. The only change which appears to be called for, is in the basis of classification where parity of age, and not advancement in knowl-

edge, has been unfortunately adopted. To remedy this objection, I am instructed to report the accompanying bill, which embraces the only change which the committee have thought it advisable to recommend to the action of this House.

The report was accepted, and the "bill to amend an act entitled an act relative to common or primary schools," was read twice and referred to the committee of the whole.

Mr. Pratt, from the select committee appointed for that purpose, introduced a "bill to abolish capital punishment," which was read twice, and the question being on referring the bill to the committee on the judiciary, it was decided in the negative.

On motion of Mr. Baldwin,

The bill was then referred to a select committee of five.

The speaker announced as such select committee, Messrs. Pratt, Knight, Shurtz, Stone, and Livermore.

Mr. H. N. Walker, from the select committee appointed for that purpose, introduced a "bill to provide for the foreclosure of mortgages," which was read twice, referred to the committee of the whole, and,

On motion of Mr. Joslin, ordered to be printed.

Mr. Hayden, from the select committee appointed for that purpose, introduced a "bill relative to the assessment and collection of taxes for county and township purposes," which was read twice and referred to the committee on ways and means.

Mr. Snell from the select committee appointed for that purpose, introduced a bill relative to the duties of assessors and highway commissioners, which was read twice, and referred to the committee on ways and means.

Mr. Tillson, from select committee appointed for that purpose, introduced a "bill to legalize certain roads therein mentioned, and for other purposes," which was read twice and referred to the committee on roads and bridges.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Chester gave notice that he should at some future day ask leave to bring in a bill to repeal sections 3, 16, and 18, of chapter 3, part 1, title 6, of the revised statutes.

Mr. White gave notice that on to-morrow he should ask leave to

introduce a bill to amend chapter 6, of title 2, part 4, of the revised statutes.

Mr. Knowlton gave notice that on some future day, he should ask leave to introduce a bill relative to issuing executions against real estate on transcripts from justices' courts, for less sums than twenty-five dollars.

Mr. Barnard offered a preamble and joint resolution relative to a proposed amendment to the constitution, which was read twice, and referred to the committee of the whole.

Mr. P. Power offered the following resolution :

*Resolved*, That the hall of the House of Representatives be open to the members on Friday evening, of each week, during the session, for the discussion of temperance, unless otherwise occupied by the legislature.

Mr. Livermore moved to amend, by striking out "Friday," and inserting "Sunday," which motion was lost.

The question then being on the adoption of the resolution, it prevailed by the following vote :

#### YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Ramsdell,
Ames,	Hebard,	Rix,
Barnard,	Joslin,	Runyan,
Baldwin,	Knowlton,	Schoolcraft,
Berry,	Lamond,	Sheldon,
Chester,	Leland,	Snell,
Delamatter,	O. Miller,	Stone,
Dunham,	H. L. Miller,	Tillson,
Fairfield,	Mosher,	Van Huse,
Ferguson,	Murphy,	D. C. Walker,
Griffin,	Parmelee,	White,
H. Hall,	P. Power,	Speaker.
M. Hall,	R. D. Power,	

38

#### NAYS.

Mr. Blindbury,	Mr. McLeod,	Mr. Shurtz,
Davis,	Ruehle,	Videto,
Hawley,	Saunders,	H. N. Walker.
Knight,		

10

Mr. Rowland offered the following resolution, which, on motion of Mr. McLeod, was laid on the table:

*Resolved*, That from and after this day, the House will hold two sessions each day, until further ordered; the morning session to com-

mence at ten o'clock, A. M. and the afternoon session to commence at half past two o'clock, P. M.

Mr. Fairfield, in pursuance of previous notice, asked and obtained leave to introduce a bill relative to the conveyance of certain real estate, and Messrs. Fairfield, Berry and White were appointed a committee to bring in the bill.

Mr. Schoolcraft called up the joint resolution relative to the construction of the Ste. Marie canal, together with the Senate substitute.

Mr. Dunham offered a substitute for the Senate substitute, which, after some debate, was withdrawn.

The question then being on concurring in the Senate substitute, it was non-concurred in.

The substitute for the "bill to define the crimes of adultery and fornication," was taken up, read a third time and passed by the following vote :

## YEAS.

Mr. Adams,	Mr. Knight,	Mr. Ramsdell,
Ames,	Knowlton,	Runyan,
Baldwin,	Lamond,	Saunders,
Blindbury,	Leland,	Sheldon,
Chester,	O. Miller,	Shurtz,
Davis,	H. L. Miller,	Snell,
Dunham,	Mosher,	Stone,
Ferguson,	Murphy,	Tillson,
Griffin,	Parmelee,	Videto,
H. Hall,	P. Power,	Vickery,
M. Hall,	Porter,	Van Husan
Hawley,	Pratt,	D. C. Walker,
Haydon,	Ruehle,	White,
Hebard,	Rix,	Speaker,
Joslin,	Rowland,	

44

## NAYS.

Mr. Barnard,	Mr. Livermore,	Mr. Schoolcraft,
Berry,	McLeod,	H. N. Walker.
Delamatter,	R. D. Power,	

8

Mr. Murphy moved a reconsideration of the vote by which the substitute was passed, pending the question on which he moved to lay the motion to reconsider on the table; both of which motions were lost.

The "joint resolution relative to the fine imposed on General Jackson by Judge Hall," was taken up, read a third time, and passed by the following vote :

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,

Mr. Hebard,  
Joslin,  
Knight,  
Knowlton,  
Lamond,  
Livermore,  
McLeod,  
O. Miller,  
Mosher,  
Murphy,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,  
Ramsdell,  
Ruchle,

Mr. Rix,  
Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

49

## NAYS.

Mr. Leland,  
H. L. Miller,

Mr. Parmelee,

Mr. Vickery,

4

The "bill to attach certain lands to the township of Georgetown," was read a third time and passed.

Mr. Ramsdell moved to take up the Senate "bill to provide for the payment of jurors," together with the House substitute therefor; which motion prevailed.

On motion of Mr. Joslin, the substitute was amended by striking out all after the word "case" in the fourth line of section 1 to the word "entered" in the sixth line.

Mr. Pratt moved to strike out the word "three" in the sixth line of the first section and insert six, which motion was lost.

On motion of Mr. Parmelee,

The words "seventy-five cents" in the second line of section 2 were stricken out, and "one dollar" inserted, by the following vote:

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,

Mr. Hebard,  
Joslin,  
Knight,  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
McLeod,

Mr. Rix,  
Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Sheldon,  
Shurtz,  
Snell,

Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,

O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Pratt,  
Ruehle,  
NAYS.

Stone,  
Tillson,  
Vidco,  
Vickerv.  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

50

Mr. Porter, Mr. Ramsdell, Mr. Van Husan, 3

On motion of Mr. Baldwin,

All after the word "court" in the fifth line of section two to the end of the section, was stricken out.

Mr. Schoolcraft moved an adjournment, which was lost.

Mr. Baldwin moved to amend, by striking out the words "twenty-five," in the second line of section three, and inserting "fifty;" which motion was lost.

On motion of Mr. Baldwin, the word "pence" in the third line of sections two and three, were stricken out, and "cents" inserted.

Mr. R. D. Power moved to amend by striking out section five, and inserting the following to stand as section five; which after some discussion was withdrawn.

Section 5. Jurors in justices' courts, and courts of special sessions, shall receive the same fees or compensation for their services, as jurors in courts of record are allowed by the second section of this act, and the fees of jurors in courts of special sessions shall be paid by the county treasurer of the proper county on the presentation of a certificate signed by a majority of the justices composing such a court.

On motion,

The words "same compensation," in the fourth and fifth lines of section 5, were stricken out, and "fifty cents" inserted, and all after the word "services," in the fifth line of the same section was stricken out.

Mr. Joslin offered the following to stand as section 6, which was adopted:

"Section 6. That the clerk of the court shall, on the first Monday of each month, pay to the treasurer of the county all the moneys which may come into his hand under this act."

Mr. McLeod moved an adjournment, which was lost.

On motion of Mr. H. L. Miller,

The first line of section 8, was amended by inserting the words "the payment of jurors," between the words "venire" and "the."

The substitute was then adopted, and ordered to be engrossed for a third reading.

On motion of Mr. McLeod, the House adjourned.

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*Thursday, January 18, 1844.*

The House met pursuant to adjournment, and on calling the roll, the members were all present.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Baldwin, of Isaiah J. Hudson, a purchaser of primary school lands, for relief. Referred to the committee on public lands.

By Mr. White, of sundry inhabitants of the county of Ionia, asking the organization of a new township, embracing the surveyed townships therein named. Referred to the committee on the organization of townships and counties.

By Mr. Adams, of inhabitants of the county of Branch, asking an appropriation of seventy-five thousand acres of land for the extension of the Southern railroad, from the village of Hillsdale to the village of Coldwater. Referred to the committee on internal improvement.

By Mr. H. N. Walker, the claim of John Monroe. Referred to the committee on claims.

By Mr. M. Hall, of David W. Howell, for compensation for improvements made on university lands. Referred to the committee on public lands.

By Mr. Mosher, the claim of David Smith, for printing blanks for the use of the tenth brigade of the Michigan militia. Referred to the committee on claims.

By Mr. Ramsdell, two petitions of citizens of Washtenaw county, for the necessary legislative action to amend the constitution of this state, by the expunction of the word "white" from the second article thereof. Referred to the committee on the judiciary.



By Mr. Knight, of James W. Hickok, and twenty-six others, praying for a state road from Eaton Rapids to Bellevue, in Eaton county. Referred to the committee on roads and bridges.

## REPORTS.

Mr. D. C. Walker, from the committee on ways and means, to whom was referred the reports of the auditor general and state treasurer, reported a "bill to amend an act entitled 'an act to provide for the assessment and collection of taxes,'" approved March 8th, 1843, and for other purposes, which was read twice and referred to the committee of the whole, and ordered to be printed.

Also, reported that it would be inexpedient to grant relief to the widow of Robert Greenfield. The report was accepted and the committee discharged.

Also, reported adverse to the petition of Hiram Bowen and others, relative to the rejected tax for the year 1842, which report was accepted and the committee discharged.

Also, reported back the "bill relative to the duties of assessors and highway commissioners," and recommended that it be not passed. The report was accepted, and the bill referred to the committee of the whole.

Also, reported adverse to the petition of the board of supervisors of Cass county. The report was accepted, and the committee discharged.

Also, reported back the "bill relative to the assessment and collection of taxes for county and township purposes," and recommended that it be not passed, as the provisions were embraced in another bill. The report was accepted and the bill laid upon the table.

Mr. Ramsdell, from the judiciary committee, reported adversely to the prayer of the petition of citizens of the township of Marcellus. The report was accepted and the committee discharged.

Mr. Pratt, from the committee on enrollment and engrossment, reported as correctly engrossed the "bill to provide for the payment of entry, judgment and jurors' fees, and to prescribe the compensation to be paid jurors in courts of records and justices courts," as correctly enrolled.

Mr. Fairfield, from the select committee appointed for that purpose, introduced a "bill to amend an act authorizing William W. Bliss, administrator &c., of Hervy Bliss, deceased, to convey certain real es-

-tate," which was read twice and referred to the committee on judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Joslin gave notice that he should, on some future day, ask leave to bring in a bill to amend an "act, to provide for the organization of courts of special sessions, and to define their powers and duties."

On motion of Mr. Lamond,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law for the support of the poor, that immediate assistance may be given the unfortunate poor, who from sudden accident or misfortune require relief without delay.

Mr. Leland offered the following concurrent resolution:

*Resolved*, (The Senate concurring) That this legislature will adjourn on Monday the twelfth day of February next.

Mr. Videto moved to suspend the rule by which concurrent resolutions lay on the table one day, which motion was lost, and the resolution lays on the table until to-morrow.

On motion of Mr. Murphy,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of reporting a bill providing for the payment of witnesses in criminal cases in courts of record.

Mr. M. Hall, in pursuance of previous notice, asked and obtained leave to introduce a bill to incorporate the "Oak hill cemetery company," and Messrs. M. Hall, Mosher, and Van Husean were appointed a committee to bring in the bill.

Mr. Leland offered the following resolution, which, on motion of Mr. Murphy, was laid on the table.

*Resolved*, That hereafter this House will have two sessions each day, the morning session commencing at 9 o'clock, and the afternoon at two o'clock.

On motion of Mr. H. Hall,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of providing by law for the payment of witnesses attending a court of record, for and in behalf of the state, and on compulsory process for defendant, and report by bill or otherwise.

Mr. Rix, from the committee on the militia, asked and obtained

leave to introduce a "bill making appropriations for extra expenses incurred by the Adjutant General," which was read twice, and referred to a select committee consisting of Messrs. Rix, Rowland and H. L. Miller.

Mr. Murphy gave notice that on some future day he should ask leave to introduce a bill to amend "an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers in chancery in certain cases, and for other purposes," approved April 15, 1833.

On motion of Mr. Knight,

The memorials in relation to the improvement of Grand River, were taken up, and referred to a select committee of three.

The Speaker announced as said committee, Messrs. Knight, Livermore, and Ferguson.

Mr. Parmelee offered the following resolution :

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending existing laws as to require of overseers of highways a bond before entering upon the duties of their office.

Mr. Fairfield moved to amend the resolution by adding, "that they be required to make oath to their reports made to the township clerk, which amendment did not prevail.

The question then recurring on the adoption of the resolution, it was not adopted.

Mr. Tillson, in pursuance of previous notice, asked and obtained leave to introduce a bill in addition to an act entitled "an act to alter, lay out, and establish certain state roads therein mentioned," and Messrs. Tillson, Chester, and Vickery were appointed a committee to bring in the bill.

The House substitute for the Senate "bill to provide for the payment of jurors and for other purposes, was taken up, read a third time, and the question being on its passage,

On motion of Mr. Videto, the bill was laid on the table.

The House then went into committee of the whole, on the general order, Mr. H. L. Miller in the chair, and after a time spent thereon, the committee rose, and by their chairman, reported that they had had under consideration a "bill to provide for the payment of the claim of

Alfred French," to which they had made an amendment, by inserting after the word "audited," in the sixth line, the words "and allowed at such sum as the auditor general shall deem reasonable," in which the concurrence of the House was asked.

The amendment was concurred in, and the bill ordered to a third reading.

Also, reported back the "bill relative to the registry of certain deeds," without amendment, and the bill was laid on the table and ordered printed.

Also, reported back the "bill to extend the time for the collection of taxes in the county of Genesee," without amendment, and the bill being under consideration,

Mr. Shurtz moved to amend by striking out the words "county of Genesee, and."

Pending which motion, Mr. Hawley moved the indefinite postponement of the bill, which motion was lost, by the following vote :

## YEAS.

Mr. Hawley,  
McLeod,

Mr. Ramsdell,  
Ruehle,

Mr. Rowland,

5

## NAYS.

Mr. Adams,

Mr. Hebard,

Mr. Pratt,

Ames,

Joslin,

Rix,

Barnard,

Knight,

Runyan,

Baldwin,

Knowlton,

Saunders,

Berry,

Lamond,

Schoolcraft,

Blindbary,

Leland,

Sheldon,

Chester,

Livermore,

Shurtz,

Davis,

O. Miller,

Snell,

Delamatter,

H. L. Miller,

Stone,

Dunham,

Mosher,

Tillson,

Fairfield,

Murphy,

Videto,

Ferguson,

Parmelee,

Vickery,

Griffin,

P. Power,

Van Huse,

H. Hall,

R. D. Power,

White,

M. Hall,

Porter,

Speaker.

Haydon,

46.

Mr. H. L. Miller moved to lay the bill on the table, and order it to be printed, which motion did not prevail.

The question then recurring on the motion to strike out the words "county of Genesee and," it was decided in the negative.

Mr. Ferguson moved to amend by inserting "Clinton county," which motion prevailed.

Mr. Shurtz moved to insert "St. Joseph county," which motion was lost.

Mr. H. L. Miller moved to amend, by inserting "Saginaw county," which did not prevail.

Mr. Shurtz moved to insert "all other lumbering counties." Lost.

Mr. H. N. Walker moved to lay the bill on the table. Lost.

Mr. Barnard moved to reconsider the vote, by which "Clinton county" was inserted, pending which

Mr. Joslin moved the previous question, which was sustained, and the previous question ordered by the following vote:

## YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Porter,
Ames,	Hebard,	Pratt,
Baldwin,	Joslin,	Rix,
Berry,	Knowlton,	Rowland,
Blindbury,	Lamond,	Runyan,
Chester,	Leland,	Schoolcraft,
Davis,	Livermore,	Sheldon,
Delamatter,	McLeod,	Snell,
Dunham,	O. Miller,	Stone,
Fairfield,	Mosher,	Tillson,
Ferguson,	Murphy,	Videto,
Griffin,	Parmelee,	Van Huse,
H. Hall,	P. Power,	H. N. Walker,
M. Hall,	R. D. Power,	Speaker.
Hawley,		

43

## NAYS.

Mr. Knight,	Mr. Ruehle,	Mr. Vickery,
H. L. Miller,	Saunders,	White.
Ramsdell,	Shurtz,	

8

The question then being on ordering the bill to be engrossed for a third reading, it was decided in the affirmative by the following vote:

## YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Pratt,
Ames,	Hebard,	Rix,
Barnard,	Knowlton,	Runyan,
Baldwin,	Lamond,	Saunders,
Berry,	Leland,	Schoolcraft,
Blindbury,	Livermore,	Sheldon,
Chester,	O. Miller,	Shurtz,
Davis,	H. L. Miller,	Snell,
Delamatter,	Mosher,	Stone,
Dunham,	Murphy,	Tillson,
Fairfield,	Parmelee,	Videto,

Ferguson,  
Griffin,  
H. Hall,  
M. Hall,

P. Power,  
R. D. Power,  
Porter,

Vickery,  
Van Husean,  
Speaker,

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## NAYS.

Mr. Hawley,  
Joslin,  
Knight,

Mr. McLeod,  
Ramsdell,  
Ruehle,

Mr. Rowland,  
H. N. Walker,  
White,

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On motion of Mr. Livermore,

The rule was suspended and the "bill to provide for the payment of the claim of Alfred French" was taken up, read a third time and passed.

The following message was received from the Senate :

SENATE CHAMBER, }  
January 18, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the "bill to define the crimes of adultery and fornication, and to provide for the punishment of the same," together with the House substitute therefor, and to respectfully inform the House that the Senate have non-concurred in the substitute.

Also, to inform you that the Senate have appointed Senators Green, Richmond, and Patterson, a committee of conference on their part on the disagreement between the two houses on the "joint resolution relative to the St Mary's ship canal."

Also, to inform you that the Senate have concurred in the House amendment to the "joint resolution relative to the fine imposed on Gen. Jackson by Judge Hall," and have ordered the same to be enrolled.

Respectfully, &c ,

JAS. E. PLATT,

*Secretary of the Senate.*

On motion of Mr. McLeod,

The House insisted on their amendment (being a substitute) to the "bill to define the crimes of adultery and fornication, and to provide for the punishment thereof," and asked for a committee of conference thereon.

Messrs. Schoolcraft, McLeod and Parmelee, were appointed a committee of conference on the part of the House, on the disagreement

between the two Houses on the "joint resolution relative to the Ste Marie's ship canal."

The following message was received from the Senate:

SENATE CHAMBER, }  
January 18, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "a bill to amend an act entitled an act to authorize the erection of a toll gate and for keeping in repair the Detroit and Saginaw road and for other purposes," which the senate have passed; also, a joint resolution instructing our Senators, and requesting our Representatives in Congress, to ask for an appropriation of lands on Grand River road, which the Senate have adopted, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,

*Secretary of Senate.*

The "bill to amend an act entitled an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road and for other purposes;" was read twice and referred to the committee on roads and bridges.

The "joint resolution instructing our Senators, and requesting our Representatives in Congress, to ask for an appropriation of lands on the Grand River road," was read twice and referred to the committee on roads and bridges.

Mr. Saunders moved an adjournment, which motion did not prevail.

Mr. H. L. Miller asked and obtained leave of absence till Tuesday next for Mr. Leland.

Mr. Joslin asked and obtained leave of absence for Mr. D. C. Walker, till Monday next.

On motion of Mr. Barnard, the rule was suspended, and the "bill to extend the time for the collection of taxes in Genesee county," was taken up, read a third time, and the question being on its passage,

On motion of Mr. Dunham the House adjourned.

*Friday, Jannary 19, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Leland and D. C. Walker were absent on leave, and Messrs. Delamatter, Hebard, Joslin, and Tillson were absent without leave.

Prayer by the Rev. Mr. Ten Brook.

The Journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Livermore, of George W. Logan and one hundred others, mechanics of the state of Michigan, asking for a law to prevent convict labor from competing with mechanics of the state. Referred to the committee on state prison.

By Mr. Parmelee, of sundry citizens of Allegan county, for the passage of a law, directing the advertisements of tax sales to be published in newspapers, instead of pamphlets. Referred to the committee on ways and means.

By Mr. Adams, two petitions of inhabitants of Branch county, asking an appropriation of lands, for the extension of the southern rail road. Referred to the committee on internal improvement.

By the Speaker, the memorial of M. Eldred, jr., and others, of the county of Kalamazoo, for the reduction of the price of university lands. Referred to the committee on public lands.

By Mr. Shurtz, of inhabitants of the county of St. Joseph, praying for a revision of the law relative to university and school lands, that the same may be sold at a fair cash value. Referred to the committee on public lands.

By Mr. Berry, the claim of Francis B. Stebbins. Referred to the committee on claims.

By Mr. Ferguson, of Jason H. Macomber, and sixty other inhabitants of the county of Clinton, for the improvement of Grand River. Referred to the select committee on that subject.

#### REPORTS.

Mr. Vickery, from the committee on claims, reported back sundry claims, which had been referred to that committee, and recommended that they be allowed. The report was accepted, and the claims referred to the committee on ways and means, to be incorporated in the appropriation bill.

Mr. H. N. Walker, from the committee on public lands, made the following report, accompanied by a bill:



The committee on public lands, to whom was referred so much of the governor's message as relates to the public lands, together with the annual report of the commissioner of the state land office, have had the same under consideration and beg leave to submit the following report:

That they have carefully as they believe, examined the whole subject, and have found the existing laws relating to our public lands, vague, uncertain and in many respects extremely defective. That to remedy all existing difficulties, and more effectually guard and protect the interests of the state, they deem it absolutely necessary that all the laws now in force, relating to our public lands, and the disposition or sale of the same, should be revised, and important alterations made therein. For the purpose of accomplishing this, your committee have prepared the accompanying bill which they respectfully beg leave to report.

The "bill to establish a land office; to prescribe and regulate the disposition of the public lands, and for other purposes" was read twice referred to the committee of the whole, and ordered to be printed.

Mr. H. N. Walker, from the committee on public lands, to whom was referred the petition of David W. Howell, for compensation for improvements made on university lands, reported the same back, and stated that in the opinion of the committee the prayer of the petition ought not to be granted.

The report was accepted and the committee discharged.

Also, from the same committee, to whom was referred the memorial of the board of regents relating to the leasing the female seminary lot to the state, reported that in their opinion the lot in question should be owned by the state, if the termination of the central railroad in the city of Detroit is not changed. In such case your committee would recommend the passage of a joint resolution granting the power to the board of regents to transfer the same on the conditions set forth in the memorial, but as this depends upon the division of the question of termination of the road, your committee would suggest that the memorial be referred to the committee having charge of that subject, and would beg leave to be discharged from the further consideration of the same.

The report was accepted and the memorial was referred to the committee on internal improvement.

Also, from the same committee; to whom was referred the petition of Loren Andrus, relating to a pre-emption to certain salt spring lands reported that in their opinion it is inexpedient to pass any law on this subject at the present time, and the committee ask leave to be discharged from the further consideration of the same.

The report was accepted and the committee discharged.

Also, from the same committee, to whom was referred the memorial of James Parker, report that in their opinion the prayer of the petition should be granted, and recommended the passage of the joint resolution heretofore reported.

The report was accepted, and the "joint resolution authorizing the superintendent of public instruction to issue certificates to certain persons therein named," was referred to the committee of the whole.

Mr. Shurtz, from the committee on roads and bridges, made the following report, which was accepted, and the committee discharged.

The committee on roads and bridges, to whom was referred a petition of sundry inhabitants of Van Buren county, praying for an appropriation on a state road from Schoolcraft to St Joseph," respectfully report,

That they have had the same under consideration, and believe, as the petitioners do, that a state road, such as petitioned for, would be highly beneficial to the people in that vicinity; but the committee are entirely ignorant of any surplus funds in the state treasury, which would furnish an appropriation therefor.

The committee are consequently compelled, from this single point of view, and without alledging other reasons, to report adversely to the prayer of said petition, and respectfully ask to be discharged from further consideration thereof.

Mr. Ferguson, from the select committee appointed for that purpose, made the following report :

The select committee, appointed under the resolution to investigate the situation of the lumber and timber furnished and paid for by the state, for the use of the Saginaw canal, respectfully report,

That they have had the same under consideration, and that the following amount of materials were furnished for the use of said canal:

July 9, 1838. 2,866 feet timber furnished and framed

	for locks, at 10 cents per foot,	\$286 60
	2,300 feet timber at 6 cents per foot,	168 00
	28,314 feet plank, (board measure,) at	
	10 cents per foot,	283 14
	Cost of delivering the same on the work,	94 38
	6,752 feet timber for dam, at 5½ cents,	371 91
	1,800 do. do 3 do ,	54 00
Feb. 7, 1839.	11,000 feet timber at 6 cents,	666 00
25,	1,752 feet lumber for lock house and	
	office for engineer department, at	
	\$12,	21 02
		<hr/>
		\$1,945 05

Your committee are informed that a large proportion of the above has been taken and used for other purposes than the canal,

Therefore, they would recommend the following resolution :

*Resolved*, By the Senate and House of Representatives of the State of Michigan, That the board of internal improvement be directed to inquire into the situation of the timber and other materials furnished for the construction of the Saginaw canal, and if any of said timber or materials are found, to take measures to dispose of, or preserve the same. Also, if any part, or all of the said timber, or other materials shall be missing, or taken away, that they take immediate measures (if the nature of the case shall require,) to recover the same or its value.

The joint resolution was read twice and referred to the committee of the whole.

Mr. Murphy, from the committee on banks and incorporations, to whom was referred the "bill to amend the charter of the village of Marshall," reported the same back, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Davis asked and obtained leave of absence for Mr. Knowlton, till Monday next.

Mr. Videto for Mr. Delamatter, till Tuesday next.

Mr. Pratt for Mr. Hebard till Tuesday next.

Mr. H. L. Miller offered the following resolution, which on motion of Mr. Livermore, was laid on the table :

*Resolved*, That the committee on the judiciary be instructed to report forthwith what action has been had, it any, upon that part of the Governor's message which relates to appraisal laws, relief laws, stay laws, &c., and which was referred to said committee by resolution of this House.

Mr. McLeod asked and obtained leave of absence for Mr. Barnard till Tuesday next.

Mr. Stone, in pursuance of previous notice, asked and obtained leave to introduce a "bill to amend the charter of the city of Monroe," and a "bill to extend the time for the completion of the Havre Branch rail road," and Messrs. Stone, Knowlton and Runyan, were appointed a committee to bring in the bills.

Mr. Dunham offered the following resolution, which was adopted:

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of so altering the law relative to estrays, as to dispense with the publication of notice, where the value of the estray does not exceed in value 10 dollars.

Mr. Baldwin gave notice that he should at some future day ask leave to bring in a "bill regulating the sale of real estate on execution, and repealing the act to provide for mortgage sales," approved March 8, 1843.

On motion of Mr. Livermore,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so amending the existing laws in relation to suits commenced by attachment in the circuit courts, as to do away with necessity of *advertising* in cases where the writ shall be returned *personally served on the defendant*, and to provide for bringing such causes to an issue, and a speedy trial as in suits originally commenced by summons, and that they report by bill or otherwise.

Mr. Blindbury asked and obtained leave of absence till Monday next, for Mr. Hawley.

Mr. White asked and obtained leave to introduce a bill to amend ch. 6, title 2, part 4, of the revised statutes, and Messrs. White, Fairfield and Vickery were appointed a committee to bring in the bill.

The "bill relative to sander" was taken up, read a third time, and the question being on its passage, it was lost by the following vote:

## YEAS.

Mr. Baldwin,	Mr. H. Hall,	Mr. Ramsdell,
Berry,	M. Hall,	Ruehle,
Blindbury,	Haydon,	Rowland,
Chester,	Livermore,	Saunders,
Davis,	H. L. Miller,	Stone,
Dunham,	Porter,	Van Huse,
Fairfield,	Pratt,	H. N. Walker, 21

## NAYS.

Mr. Adams,	Mr. Lamond,	Mr. Sheldon,
Ames,	McLeod,	Shurtz,
Barnard,	O. Miller,	Snell,
Ferguson,	Murphy,	Videto,
Griffin,	Parnelee,	Vickery,
Hawley,	P. Power,	White,
Knight,	Runyan,	Speaker.
Knowlton,	Schoolcraft,	23

The unfinished business, being the bill to extend the time for the collection of taxes in the county of Genesee, was taken up, and the question being on its passage,

Mr. Livermore moved to recommit the bill to the select committee that introduced the bill, with instructions, which motion prevailed.

The House then went into the committee of the whole on the general order, Mr. Pratt in the chair, and after a time spent thereon, the committee rose, and by their chairman reported that they had had under consideration "a joint resolution relative to timber and other materials furnished for the construction of the Saginaw canal;" "a joint resolution relative to a proposed amendment to the constitution," "a bill to amend an act relative to common or primary schools," "a bill relative to the duties of assessors and highway commissioners." And "a bill to amend the charter of the village of Marshall," all of which were reported back without amendment.

The "joint resolution relative to timber and other materials furnished for the construction of the Saginaw canal," the "joint resolution relative to a proposed amendment to the constitution," and the "bill to amend an act entitled an act relative to common or primary schools," were severally ordered to be engrossed for a third reading.

Mr. Rowland moved to lay the "bill amendatory to the charter of

the village of Marshall" on the table, which motion was lost, and the bill was ordered to a third reading.

On motion of Mr. Parmelee, the "bill relative to the duties of assessors and highway commissioners" was laid on the table and ordered to be printed.

Mr. Lamond, from the select committee to whom was referred the "bill to extend the time for the collection of taxes in the county of Genesee," reported the bill back to the House.

Mr. Ramsdell raised a point of order as to the proper committee to report the bill.

The Speaker decided that the select committee who originally reported the bill, was the committee to whom the bill was recommitted by the house.

The bill was then taken up and passed.

The following message was received from the Senate.

SENATE CHAMBER, }  
January 19, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit "a bill to attach the county of Huron to the county of St. Clair for judicial and other purposes," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.

JAMES E. PLATT,

*Secretary of Senate.*

The "bill to attach the county of Huron to the county of St. Clair for judicial and other purposes," was read twice, referred to the committee on the organization of towns and counties and ordered to be printed.

Mr. Stone, from the select committee appointed for that purpose, introduced a "bill to amend an act entitled 'an act to incorporate the city of Monroe,'" and a "bill to extend the time for the completion of the Havre Branch railroad," which were severally read twice and referred to the committee on banks and incorporations.

Mr. Joslin, on leave, presented the petition of sundry citizens of this state praying the modification of the militia law. Referred to the committee on the militia.

Mr. White, from the committee appointed for that purpose, introduced a "bill to amend chapter 6, of title 2, part 4 of the revised statutes," which was read twice, laid on the table and ordered printed.

Mr. M. Hall, on leave, presented the petition of John F. Fuller and twenty-three other residents of town two north of range seven west, for the organization of the same into a separate township. Referred to the committee on organization of towns and counties.

On motion of Mr. Ramsdell, the House adjourned.

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*Saturday, January 20, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Barnard, Delamatter, Hawley, Hebard, Knowlton, Leland, and D. C. Walker, were absent on leave, and Mr. Rix without leave.

Prayer by the Rev. Mr. Ten Brook.

The journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Ramsdell, of inhabitants of this state, asking a modification of the present militia law. Referred to the committee on militia.

Also, of legal voters of the county of Washtenaw, asking an amendment to the constitution, by expunging from the second article thereof the word "white." Referred to the committee on the judiciary.

#### REPORTS.

Mr. Pratt, from the committee on enrollment and engrossment, reported as correctly engrossed, "the bill to amend an act entitled an act relative to common or primary schools," the "joint resolution relative to timber and other materials furnished for the construction of the Saginaw canal," and the "joint resolution relative to a proposed amendment to the constitution of this state."

Mr. Ramsdell, from the committee on the judiciary, reported a bill to amend chapter 3, title 3, and part 1, of the revised statutes, relative to the duties of county surveyors," which was read twice and referred to the committee of the whole.

Mr. Vickery, from the committee on claims, made the following report, which was accepted, and the committee discharged:

The committee on claims, to whom were referred several memorials, asking the legislature to repair the loss of those whose property

was destroyed by the fire in one of the workshops of the state prison, sometime in July or August last, ask leave to report:

That they have given to this subject their serious consideration. From the information they have collected, it appears that the workshop, in which the wool and other property were consumed, was, at the time, in the actual possession of A. Walcott, who held it by a lease for a term of time, from the agent of the prison or state; and that the fire, and consequent destruction of the wool and other articles for which damages are claimed, resulted from the wanton and deliberate act of one of the convicts belonging to the penitentiary, and then in the service of the said Walcott, who had contracted for his labor pursuant to a law, approved February, 1842. Your committee are of the opinion that the state cannot be held accountable for the conduct of those for whom it has no direct control; and that the legislature, by granting the prayer of the memorialists, would travel out of its legitimate sphere, and introduce a dangerous example. The committee, therefore, are constrained to report *adversely*, and ask to be discharged from the further consideration of this subject.

Mr. Shurts, from the committee on roads and bridges, submitted the following report, which was accepted, and the committee discharged:

The committee on roads and bridges, to whom was referred a bill from the Senate, to amend an act entitled "an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes," have had the same under consideration, and have directed me to report the same back without an amendment, and recommend the passage of the same.

Also, a "joint resolution, instructing our senators, and requesting our representatives in congress, to ask for an appropriation of lands on the Grand River road," report that they have had the same under consideration, and have directed me to report the same back to the House without an amendment, and recommend its passage.

The "joint resolution instructing our senators, and requesting our representatives in congress to ask for an appropriation of lands on the Grand River road," and the "bill to amend an act entitled an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes," were referred to the committee of the whole.



Mr. Vickery, from the committee on claims, made the following report, accompanied by a bill:

A *majority* of the committee on claims, to whom was referred the petition of William L. Greenly and others, for the relief of John Silk, have *instructed* their chairman to report the following bill, and recommend its passage.

The report was accepted, and the committee discharged, and the "bill for the relief of John Silk," was read twice, laid on the table and ordered printed.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Parmelee moved to reconsider the vote by which the "bill relative to slander," was yesterday rejected, which motion prevailed and the bill being before the House,

On motion of Mr. Joslin,

*Resolved*, That a "bill relative to slander," be referred to the committee on the judiciary, with instruction to strike out the words "imputing to," in line 3, and insert the word "charging," and insert the word "with," after the word *several*, in the 3d line, and strike out the word "imputing," in line 8, and insert the word "charging."

Mr. M. Hall, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend chapter one, title two, part second, of the revised statutes, relative to the descent of real estate," and Messrs. M. Hall, Parmelee, and Ames, were appointed a committee to bring in the bill.

On motion of Mr. Ramsdell, leave of absence was granted to Mr. Rix, till Monday next.

Mr. H. N. Walker asked and obtained leave of absence till Tuesday, for Mr. Rowland.

Mr. Ruehle, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act to repeal a part of chapter eight, title five, part first, of the revised statutes, and for other purposes," and Messrs. Ruehle, H. L. Miller and Dunham, were appointed a committee to bring in the bill.

On motion of Mr. H. L. Miller,

*Resolved*, That the judiciary committee be and they are hereby instructed to report to this House, how many and what amendments have been made in the constitution of this state since the same was

adopted, and also to examine into the proceedings had in reference to said amendments with the view of ascertaining whether the said amendments have been made in accordance with constitutional provisions relating thereto.

Mr. H. L. Miller offered the following resolution, which on motion of Mr. Videto, was laid on the table.

*Resolved*, That the Auditor General be and he is hereby required to report to this House, whether he has, or has not, in consequence of a certain extensively circulated printed circular, issued out of and from his office, dated March 29, 1843, and signed C. G. Hammond, Auditor General, received communications relative to taxes from non resident land holders, and whether he has or has not replied to said communications, and received moneys from, and paid taxes for, said non-resident land holders; and if so, whether he acted in the capacity of an officer of the state, or only as the agent of said non-resident tax payers.

On motion of Mr. H. L. Miller,

*Resolved*, That the clerk of this House be and he is hereby directed to call upon the Auditor General, and if possible, ascertain from him, how soon he will be prepared to make the report called for by a resolution of this House adopted January 9th, 1844.

Mr. H. L. Miller moved to take from the table the bill to provide for the payment of jurors and other purposes, and to refer the same to the judiciary committee with instructions to examine the provisions of said bill and compare them with existing laws and so to amend the said bill as to repeal all existing enactments, conflicting with its provisions, which motion prevailed.

On motion of Mr. Pratt,

The "bill to amend chapter six of title two, part fourth of the revised statutes," was taken from the table and referred to the committee of the whole.

Mr. Berry, in pursuance of previous notice asked and obtained leave to introduce a "bill to amend the 3rd section of an act to provide for the assessment and collection of taxes," and Messrs. Berry, Chester and Hayden were appointed a committee to bring in the bill.

Mr. Joslin, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act to provide for the organization of

courts of special sessions," &c., and Messrs. Joslin, H. N. Walker, and Fairfield were appointed a committee to bring in the bill.

On motion of Mr. Stone,

*Resolved*, That the committee on public lands be instructed to inquire into the expediency of altering the time fixed by law for the annual payments on university lands, so that such payments may be made in the month of November in each year.

The "bill to amend the charter of the village of Marshall," the "bill to amend an act relative to common or primary schools;" the joint resolution relative to timber and other materials furnished for the construction of the Saginaw canal; and the joint resolution relative to a proposed amendment to the constitution were severally read a third time and passed.

The House then went into committee of the whole on the general orders, Mr. Livermore in the chair, and after a time spent thereon, the committee rose, and by their chairman, reported that they had had under consideration a "joint resolution instructing our Senators, and requesting our Representatives in Congress, to ask for an appropriation of land on the Grand River road;" a "bill to amend an act to authorize the erection of a toll gate and for keeping in repair the Detroit and Saginaw road, and for other purposes," and a bill to amend chapter 3, title 3, and part first of the revised statutes, relative to the duties of the county surveyors, which they reported back without amendment, and a joint resolution authorizing the superintendent of public instruction to issue two certificates to certain persons therein named, which they reported back with an amendment, striking out the words "superintendent of public instruction," and inserting "commissioner of the land office," in which the concurrence of the House was asked.

The joint resolution authorizing the superintendent of public instruction, &c., was then taken up and the amendment concurred in, and the question being on ordering it to be engrossed for a third reading,

Mr. Ames moved to lay it on the table, which motion was lost, and the joint resolution was ordered to be engrossed for a third reading.

The bill to amend chapter 3, title 3, part first of the revised statutes, relative to the duties of county surveyors, was laid on the table and ordered printed.

The bill to amend the act entitled an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road and for other purposes, and the joint resolution instructing our Senators and requesting our Representatives in Congress to ask for an appropriation of land on the Grand River road, were severally ordered to a third reading.

The joint resolution relative to a proposed amendment to the constitution, and the bill to amend an act entitled an act relative to common or primary schools, were severally ordered to be engrossed for a third reading.

The following message was received from the Senate:

SENATE CHAMBER,  
January 20, 1844. {

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a "bill to amend an act to provide for the laying out of a certain state road and for other purposes," approved April 13, 1841, which the Senate have passed and respectfully ask the concurrence of the House therein.

Also to inform the House that Senators Green, Pratt, and Comp-ton, have been appointed a committee of conference on the disagreement between the two houses on the bill to define the crimes of adultery and fornication and to provide for the punishment thereof.

Also to transmit a bill authorizing appeals from the decision of the board of supervisors, which the Senate have passed and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

The bill authorizing appeals from the board of supervisors was read twice and referred to the committee on the judiciary.

The Speaker appointed Messrs. Pratt, Fairfield and Rowland a committee of conference on the disagreement between the two houses on the bill to define the crimes of adultery and fornication, and to provide for the punishment thereof.

Mr. Ruehle, from the select committee appointed for that purpose, introduced a bill to amend an act to repeal a part of chapter 8, title 5, part first, of the revised statutes, and for other purposes, which was read twice and referred to the committee on the judiciary.

On motion of Mr. Rowland the House adjourned.

*Monday, January 22, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Barnard, Delamatter, Hawley, Hebard, Knowlton and Rix, were absent on leave.

Prayer by Rev. Mr. Duffield.

The journal of Saturday was read and approved.

PETITIONS.

By Mr. Adams, of sundry inhabitants, located along the line of the southern railroad, asking the legislature to so alter the law regulating the Board of Internal Improvement, that two of said board may be acting commissioners. Referred to the committee on internal improvement.

By Mr. M. Hall, of Michael Furlong and others, for a reduction of the price of certain school lands therein mentioned. Referred to the committee on public lands.

By Mr. Pratt, of 207 citizens of Bloomfield, Oakland county, for the incorporation of a company to construct a plank road between the city of Detroit and the village of Birmingham in Oakland county. Referred to the committee on banks and incorporations.

By Mr. Davis, three petitions for the same purpose. Referred to the same committee.

By Mr. H. L. Miller, the remonstrance of the inhabitants of the town of Tuscola, against being attached to the county of Lapeer.— Referred to the committee on the organization of towns and counties.

Also, of inhabitants of the town of Tuscola, for the laying out and opening a state road from Tuscola to Lower Saginaw. Referred to the committee on roads and bridges.

By Mr. D. C. Walker, of legal voters of Macomb county, asking the expunction of the word "white" from the second article of the constitution of this state. Referred to the committee on judiciary.

Also, of legal votes of Macomb county, asking the enactment of a law for the better protection of personal liberty. Referred to the committee on federal relations.

REPORTS.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, the joint resolution authorizing the commissioner of the land office to issue two certificates to certain persons therein named.

Mr. Schoolcraft, from the committee on federal relations, reported back the joint resolution relative to constructing a road from Saginaw to Michilimackinac and the Saut Ste. Marie, with an amendment, which was concurred in, and the joint resolution was referred to the committee of the whole.

Mr. Vickery, from the committee on claims, made the following report, which was accepted:

The committee on claims, to whom was referred the account of Gales & Seaton, amounting to 94 dollars, for the Daily National Intelligencer, furnished the House of Representatives from April 1836, to April 1844; and 4 copies of the same furnished members during the sessions of 1839 and 1841, report:

That on examination, they find no authority which will warrant them in allowing the said account, except a vague resolution of the House in 1841, ordering the clerk to procure for the members of the House, such newspapers as they should direct, not to exceed in cost the price of two daily papers. The committee therefore report the same back and ask to be discharged from its further consideration.

Mr. Videto, from the committee on agriculture and commerce, to whom was referred so much of the Governor's message as relates to a protective tariff, made a report accompanied by a joint resolution.— The report was read, and

On motion of Mr. Baldwin,

Laid on the table and 500 copies ordered to be printed.

The "joint resolution instructing our Senators and requesting our Representatives in Congress, relative to the modification of the present tariff law," was read twice and referred to the committee of the whole.

Mr. Vickery, from the committee on claims, made the following report, which was accepted and the committee discharged :

The committee on claims have had under consideration the claim of David Smith for printing (in August and September, 1840,) warrants, brigade orders, company rolls and regimental orders for the 4th brigade, M. M. and unanimously agreeing that it is not a legal charge against the state, and ask to be discharged from the further consideration of the subject.

Also, reported back the claim of G. F. Rood & Co., for stationery

furnished the Secretary of State, and recommended that it be allowed. The report was accepted, and the claim was referred to the committee on ways and means, to be incorporated in the general appropriation bill.

Also, reported back the claims of G. F. Rood & Co., for stationery furnished the Attorney General, the Auditor General, the Adjutant General and the House of Representatives for 1843, and reported that in the opinion of the committee, there was no law authorizing the payment of said claims. The report was accepted, and the committee discharged from the further consideration of the several claims.

On motion of Mr. Baldwin, the vote by which the committee were discharged from the consideration of said claims, was reconsidered, and the question being on discharging the committee, they were not discharged.

Mr. Berry, from the select committee appointed for that purpose, introduced a "bill to amend the third section of an act to provide for the assessment and collection of taxes," which was read twice, and referred to the committee on ways and means.

Mr. Joslin, from the select committee appointed for that purpose, introduced a "bill to amend an act to provide for the organization of courts of special sessions," which was read twice, referred to the committee on the judiciary, and ordered to be printed.

Mr. M. Hall, from the select committee appointed for that purpose, introduced a "bill to incorporate the Oak Hill Cemetery company," which was read twice, referred to the committee on banks and incorporations, and ordered to be printed.

The Senate "bill to amend an act to provide for the laying out of a certain state road, and for other purposes," approved April 13, 1841, was read twice, and referred to the committee on roads and bridges.

Mr. Baldwin in pursuance of previous notice, asked and obtained leave to introduce a bill relative to the sale of real estate on executions, and Messrs. Baldwin, Pratt, and Livermore, were appointed a committee to bring in the bill.

Mr. D. C. Walker, called up from the table the following resolution, and on his motion it was referred to a select committee with instructions to inquire into the subject matter therein referred to and that said committee have power to send for persons and papers:

*Resolved*, That the auditor general be and he is hereby required to report to this House, whether he has or has not, in consequence of a certain extensively circulated printed circular issued out of and from his office, dated March 29, 1843, and signed C. G. Hammond, auditor general, received communications relative to taxes from non-resident land holders, and whether he has or has not replied to said communications and received monies from, and paid taxes for said non-resident land holders—and if so, whether he acted in the capacity of an officer of the state or only as the agent of the said non-resident tax payers.

Mr. Fairfield gave notice that on some future day he should ask leave to introduce a bill to provide for recording official bonds of the various towns and counties of this state.

The "bill to amend an act entitled an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes," the "bill to amend an act entitled an act relative to common or primary schools," the "joint resolution authorizing the commissioner of the land office to issue certificates to certain persons therein named," and the "joint resolution instructing our senators, and requesting our representatives in congress to ask an appropriation of lands on the Grand River road," were severally read a third time and passed.

The House then went into committee of the whole, on the general orders, Mr. H. N. Walker in the chair, and after a time spent thereon, the committee rose, and by their chairman, reported that they had had under consideration a preamble and joint resolution relative to the construction of a road from Saginaw to Michilmackinac and Saut Ste Marie," which they reported back without amendment, and the same was ordered to be engrossed for a third reading.

Also, reported that they had had under consideration a "bill to amend chapter 6, title 2, part 4th, of the revised statutes," and on which they had made some progress, and asked leave to sit again. Leave was granted.

The Speaker announced the following communication from the secretary of State:

*To the Hon. the Legislature of the State of Michigan :*

The undersigned has the honor to transmit to the legislature a copy



of the canvass of the votes given at the general election for 1843, for and against the amendment to the constitution as proposed in a resolution of the legislature, approved February 4th, 1842.

The board of canvassers have been delayed in making the canvass by a failure on the part of some of the counties to forward their returns within the time prescribed by law for the election of State officers. From the county of Eaton no returns have been received.

Very respectfully,

Your ob't servant,

R. P. ELDREDGE,

*Secretary of State, and*

*Chairman of State Canvassers.*

The copy of the canvass was laid on the table.

The following message was received from the Senate:

SENATE CHAMBER, }  
January 22, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill to extend the time for the collection of taxes in the counties of Genesee and Clinton for the year 1843,” and to inform the House that the Senate have passed the same with sundry amendments in which they respectfully ask the concurrence of the House.

Respectfully, &c.,

JAS E. PLATT,

*Secretary of Senate.*

Mr. McLeod moved to lay the bill on the table, which motion was lost.

The Senate amendments to the title and sections 1 and 2 of the “bill to extend the time for the collection of taxes in the counties of Genesee and Clinton for the year 1843,” were then concurred in.

Mr. H. N. Walker moved to lay the bill on the table, which motion did not prevail.

On motion of Mr. Joslin, the Senate amendment (being a new section to stand as section four) was amended by inserting after the word “district,” in the 8th line, the words “by the person against whom the tax is assessed, and the amendment as amended was then concurred in.

On motion of Mr. Baldwin, the House adjourned.

*Tuesday, January 23, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs Hebard, Leland and Stone were absent on leave, and Mr. Videto without leave.

Prayer by the Rev. Mr. Duffield.

The Journal of yesterday was read and approved.

The Speaker announced as the select committee under the resolution offered by Mr. H. L. Miller, relative to the conduct of the auditor general, Messrs H. L. Miller, O. Miller, Parmelee, Joslin and Hayden.

#### PETITIONS.

By Mr. Livermore, the claim of Ezra Williams for services as Quarter Master General of the State of Michigan for the year 1842 and 1843.

Also the claim of D. Hodge.

Also the claim of Farrand and Higby.

Also the claim of H. L. Belcher ; all of which were referred to the committee on claims.

By Mr. Baldwin, of Wm. C. Hoyt and others, asking the division of the county of Oakland and the formation of a new county.— Referred to the committee on towns and counties.

By Mr. Joslin, the claim of George Davis. Referred to the committee on claims.

By Mr. Pratt, of sundry citizens of Galesburgh, Kalamazoo county, asking an act incorporating the Alphadelphi association, agreeable to the plan of Charles Fourier, the French philanthropist, for the purposes of pursuing agriculture, manufactures, and the arts and sciences, under a unity of interest.

Also of 89 citizens of Battle Creek, Calhoun county, for the same object.

Also of 75 citizens of Bellevue, Eaton county, for the same object.

Also of 55 citizens of Spring Arbor, Jackson county, for the same object.

All of which were referred to the committee on banks and incorporations.

By the Speaker, of sundry citizens of the county of Kalamazoo, asking the incorporation of the Alphadelphi association in said county. Referred to the committee on banks and incorporations.

By Mr. Delamatter, the claim of P. Easterly, for coal. Referred to the committee on claims.

By Mr. Joslin, of Joseph George Prince, Stephen Bennett, and 16 others, to strike out the word "white," from the second article of the constitution. Referred to the committee on the judiciary.

Also, of Joseph George Prince, Stephen Bennett, and 16 others, for the better protection of personal liberty. Referred to the committee on federal relations.

By Mr. Livermore, a communication from Peter Easterly, Esq., relative to the penal statutes. Referred to the committee on the judiciary.

By Mr. Van Husen, of Michael Cook, and 42 others, of the county of Washtenaw, praying a modification of the militia law. Referred to the committee on the militia.

By Mr. Rix, the remonstrance of inhabitants of the county of St. Clair, against attaching to said county for judicial purposes any other territory. Referred to the committee on the organization of towns and counties.

By Mr. Saunders, two petitions of inhabitants of the township of Ecorse, in the county of Wayne, relative to a division of said township. Referred to the committee on the organization of towns and counties.

By Mr. Ramsdell, of Gen. E. Clark, and others, of the county of Washtenaw, for the passage of a law encouraging the organization of volunteer companies. Referred to the committee on the militia.

Also, of Levi June, and others, of Washtenaw county, asking an amendment to the constitution of this state, by expunging the word "white," from the second article thereof. Referred to the committee on the judiciary.

Also, of Levi June, and others, of Washtenaw county, for the passage of a law for the better protection of personal liberty. Referred to the committee on federal relations.

#### REPORTS.

Mr. Vickery, from the committee on claims, made the following report, which was accepted, and the committee discharged :

The committee on claims have had under consideration, and duly

examined sundry claims for fitting up and furnishing the room lately procured in the city of Detroit, for the use of the supreme court, as per order of said court, dated the 11th day of January instant.

1.	Claim of Samuel Fisher,	\$8 12
2.	do. E. A. Mather,	2 25
3.	do. John G. Norton,	17 00
4.	do. A. H. Newbould,	7 00
5.	do. W. R. Noyes,	0 90
6.	do. Daniel Thompson,	21 69
7.	do. C. F. Selcrig,	10 00
8.	do. B. Wright,	9 67
9.	do. Benham & Wright,	5 83
10.	do. Abbott & Beecher,	9 06
11.	do. M. F. Dickenson,	20 74
12.	do. Messrs. Chandler & Co.,	77 71

Amounting in all to \$190 6, as per the several bills herewith enclosed, and properly vouched, which I am instructed to report back to the House, and recommend that they be allowed.

Mr. Vickery, from the committee on claims, also made the following report, which was accepted, and the committee discharged:

The committee on claims have had under consideration sundry claims, (some of them referred a second time,) of G. F. Rood & Co., for stationery, furnished as follows, viz :

To House of Representatives,	\$12 50
To do. do.,	43 13
To office of attorney general,	18 00
To office of auditor general,	30 77
To office of adjutant general,	80 06
To chancery court, 3d circuit,	29 19
To circuit supreme court,	20 76
To 2d circuit of chancery, and supreme court,	32 75

The committee, having duly examined the foregoing claims, and finding them properly authenticated, have instructed their chairman to report the same back to the House, and recommend that they be allowed.

Mr. Pratt, from the committee on enrollment and engrossment, reported as correctly engrossed, the "preamble and joint resolution

relative to the construction of a road from Saginaw to Michilimacinae and Saut. Ste. Marie," as correctly engrossed.

Mr. Joslin, from the committee on internal improvement, made a report, accompanied by two bills. The report was laid on the table and ordered printed.

The "bill making appropriations on the Central railroad," and the "bill to amend an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal, between the villages of Rochester and Frederick," were severally read twice, referred to the committee of the whole, and ordered printed.

Mr. Shurtz, from the committee on roads and bridges, made the following report, which was accepted, and the committee discharged :

The committee on roads and bridges, to whom was referred a bill from the Senate to amend an act to provide for the laying out of a certain state road, and for other purposes.

Also, a bill to establish certain roads therein mentioned, and for other purposes,

Have had the same under consideration, and instructed me to report the same back to the House, and recommend their passage.

The "bill to amend an act to provide for the laying out of a certain state road, and for other purposes, approved April 13, 1841," and the "bill to establish certain state roads therein mentioned, and for other purposes," were referred to the committee of the whole.

Mr. Vickery, from the committee on claims, made the following report, which was accepted, and the committee discharged.

The committee on claims have considered the account of Francis R. Stebbins, for a table and case, furnished the register's office of the fifth chancery circuit, and finding it duly authenticated, have instructed me to report the same back to the House, recommending its acceptance.

Mr. Ramsdell from the committee on the judiciary, made the following report, which was accepted, and the committee discharged:

The committee to whom was referred a bill relative to slander, with instructions to make certain amendments, have in obedience to such instructions, amended the same,

By striking out the words "imputing to," in line 3, and by inserting the word "charging," and by inserting the word "with," after

the word "female," in the 3d line, and by striking out the word "imputing," in line 8, and inserting the word "charging."

Mr. Ramsdell, from the same committee, to whom was referred the "bill to amend 'an act authorizing William W. Bliss, administrator, &c. of Hervey Bliss, deceased, to convey certain real estate,'" reported the same back with an amendment to the title, and substitute for section one. The report was accepted and the bill referred to the committee of the whole.

Also, reported that it is inexpedient to so change the law relative to estrays, as to dispense with the necessity of publication of notice, when the value of the estray does not exceed ten dollars.

Also, reported back the "bill authorizing appeals from supervisors," and recommended that it be not passed. The report was accepted and the bill referred to the committee of the whole.

Mr. D. C. Walker, from the committee on ways and means, made a report, accompanied by a bill. The report was read, laid on the table and 500 extra copies ordered printed.

The "bill to incorporate the Michigan railroad company, and to authorize the sale of the Southern and Central railroads," was read twice, referred to the committee of the whole, and ordered printed.

The following communication was received from the auditor general:

AUDITOR GENERAL'S OFFICE, }  
Detroit, January 23, 1844. }

*To the Speaker of the House of Representatives:*

SIR—Herewith is transmitted a reply to the resolution of the House of Representatives of the 9th instant.

Most respectfully,

Your obedient servant,

C. G. HAMMOND,  
*Auditor General.*

The "reply to the resolution" was read, laid on the table and ordered to be printed.

Mr. Livermore asked and obtained leave of absence, till to-morrow for Mr. Videto.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Saunders gave notice that, at some future day, he should ask

leave to introduce a bill to extend the eastern line of the township of Ecorse, to the national line between Canada and Michigan.

Mr. Shurtz offered "a joint resolution rescinding, in part, a joint resolution prohibiting new contracts on public works," which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Livermore, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled "an act to incorporate the village of Jackson," and Messrs. Livermore, Murphy, and Lamond, were appointed a committee to bring in the bill.

Mr. H. L. Miller called up from the table the following resolution:

*Resolved*, That the committee on the judiciary be instructed to report forthwith, what action has been had, if any, upon that part of the executive message, which relates to appraisal laws, stay laws, &c., and which was referred to said committee by a resolution of this House.

Mr. Pratt moved the indefinite postponement of the resolution, pending which motion,

On motion of Mr. Livermore,

The resolution was laid on the table.

Mr. Hawley gave notice that at some future day he should ask leave to introduce a bill to amend an act providing for the final adjustment of unsettled claims for damages growing out of the internal improvements of this state, approved March 8, 1843.

On motion of Mr. Blindbury,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of repealing so much of the 14th section, as relates to the owner or agent, in swearing to the value of property; also, by amending the 39th section, by repealing so much as relates to the township treasurer depositing the tax roll and warrant with the township clerk, and require him to deposit it with the county treasurer; of an act for the assessment and collection of tax, approved March 8, 1843.

On motion of Mr. Hayden,

500 extra copies of the report of the committee on internal improvement were ordered printed.

The "preamble and joint resolutions relative to the construction of a road from Saginaw to Michilimackinac, and the Saut Ste Marie," were read a third time and passed.

The House then went into committee of the whole on the general orders, Mr. D. C. Walker in the chair, and after a time spent thereon the committee rose, and by their chairman reported that they had had under consideration a "bill to amend chapter six, title two, part fourth of the revised statutes, which they reported back, with amendments, in which the concurrence of the House is asked.

The amendments were concurred in, and the bill ordered to be engrossed for a third reading.

Also, reported back the "joint resolution instructing our senators, and requesting our representatives in congress, relative to a modification of the tariff law," without amendment, and it was ordered to be engrossed for a third reading.

Also, reported that they had had under consideration, "a bill to provide for the foreclosure of mortgages," on which they had made some progress, and asked leave to sit again. Leave was granted.

The following message was received from the Senate:

SENATE CHAMBER, }  
January 23, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "bill to extend the time for the collection of taxes in the counties of Genesee, Clinton, Shiawassee, Kent, Lapeer and St. Clair, for the year 1843," and to respectfully inform the House that the Senate have concurred in the House amendment to the Senate amendments thereto.

JAMES E. PLATT,

*Secretary of Senate.*

And the "bill to extend the time for the collection of taxes in the counties of Genesee, Clinton, Shiawassee, Kent, Lapeer and St. Clair for the year 1843," was ordered to be enrolled. ]

Mr. Saunders, on leave, presented a petition from sundry citizens of the counties of Monroe and Wayne, for the division of the same, and the formation of a new county. Referred to the committee on organization of towns and counties.

Mr. Joslin moved to adjourn till 2 o'clock P. M., which motion was lost.

On motion of Mr. McLeod, the House adjourned.



*Wednesday, January 24, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Mosher and Videto were absent.

Prayer by the Rev. Mr. Duffield.

The Journal of yesterday was read and corrected.

PETITIONS.

By Mr. H. N. Walker, the claim of J. J. Butler, for seal furnished for the supreme court. Referred to the committee on claims.

By Mr. Delamatter, of C. W. Vining and 55 others, residents of Columbia, Jackson county, for the incorporation of the "Alphadelphia association." Referred to the committee on banks and incorporations.

By Mr. Joslin, of Thomas Martin, for damages on Central railroad. Referred to the committee on claims.

By Mr. Pratt, the memorial of Dr. Henry R. Sheterly, of the county of Washtenaw, Henry D. Hall, G. S. Avery, and Alanson Mack, of the county of Eaton, Harvey T. Keith, William Earl, and Ezra Stetson, of the county of Kalamazoo, William Grant, Amos Picket, Anson Delamatter, C. W. Vining, of the county of Jackson, and Charles Mason, and Henry B. Teed, of the county of Calhoun, praying the legislature to incorporate the Alphadelphia association, in the state of Michigan, agreeable to the plan of Charles Fourier, the French philanthropist.

Also, for building a dam across the Kalamazoo river, in the township of Comstock, in the county of Kalamazoo. Referred to the committee on banks and incorporations.

By Mr. Barnard, of Benjamin Bangs, and 35 others, citizens of Livingston county, for the amendment of the law relative to primary schools, so that after appropriating the public moneys, all deficiencies for the payment of teachers, shall be raised from the taxable property of the residents of the district. Referred to the committee on education.

By Mr. Stone, of 87 legal voters of the county of Monroe, for the amendment of the constitution of this state, by expunging from the second article thereof the word "white." Referred to the committee on the judiciary.

Also, of 90 inhabitants of the city of Monroe, for the re-organiza-

tion of the board of internal improvement of this state. Referred to the committee on internal improvement.

By Mr. M. Hall, of 27 citizens of Barry county, for setting off a new township. Referred to the committee on towns and counties.

By Mr. Ramsdall, of W. Wallace Phelps, and others, for the passage of an act incorporating the "Phi Phi Alpha society," of the university of Michigan. Referred to the committee on banks and incorporations.

By Mr. Berry, of inhabitants of the town of Potsdam, in Lenawee county, for the alteration of the name of said town. Referred to the committee on the organization of towns and counties.

By Mr. Tillson, of 250 legal voters of the counties of Macomb and Oakland, for an addition to the appropriation of last winter, sufficient to carry into effect the intention of that legislature, in relation to the completion and preservation of the Clinton and Kalamazoo canal between the villages of Frederick and Rochester. Laid on the table.

By Mr. Livermore, the memorial of Adam L. Roof, and 200 other citizens of Iona county, relative to the improvement of Grand river. Referred to the select committee on that subject.

#### REPORTS.

Mr. Livermore, from the committee on the state prison, made the following report, accompanied by a bill:

The committee on state prison, to whom was referred so much of the governor's message as relates to the state prison, and to whom reference is made of the annual report of the board of inspectors of the state prison, and also to whom reference is made of several petitions relative to mechanical labor in the state prison, have had the same under consideration, and report:

That on examination of the several references, they find that the subject of convict labor in the penitentiary has occupied, more or less, the attention of them all. The inspectors of the state prison, in their report, and also the governor in his message recommends and suggests the propriety of establishing by law at this session of the legislature, a prison discipline, relative to mechanical labor, by giving it such direction as will prevent competition between convict and free labor. The inspectors of the prison anticipate the time, when the number of prisoners are increased, under the present system, that

convict labor will be unequal and ruinous in its effects upon the honest and industrious mechanic.

The petitions of the mechanics that were referred to your committee, set forth that although the prison institute relative to mechanical labor, is but in its infancy, its effects at the present time, upon the mechanics in the vicinity of the prison, are seriously felt, and very oppressive.

Your committee, on a careful examination of the subject, have arrived at the conclusion that it would be just and right for the legislature at its present session, to establish by law, a system that will remove the present objections. It is admitted that labor is an essential part of the most approved system of prison discipline, and is important to the state in a financial point of view, yet your committee believe that a system may be adopted, that will protect the rights and interests of the honest and industrious mechanic, and that will be consistent with the interest of the state. Your committee, for the purpose of carrying out their views more fully, herewith submit a bill.

The report was accepted, and the committee discharged, and the "bill in relation to convict labor in the state prison," was read twice, referred to the committee of the whole, and ordered printed.

Mr. Pratt, from the committee on enrollment and engrossment, reported the "act to extend the time for the collection of taxes, in the counties of Genesee, Clinton, Shiawassee, Kent, Lapeer, and St. Clair, for the year 1843," as correctly enrolled, and that the same was this day presented to the Governor for his approval.

Also, reported as correctly engrossed the "bill to amend chapter 6, title 2, part 4th, of the revised statutes," and the "joint resolution instructing our senators, and requesting our representatives in congress, relative to a modification of the present tariff law."

Mr. Baldwin, from the committee on the organization of towns and counties, reported back the "bill to attach the county of Huron to the county of St. Clair, for judicial and other purposes," and recommended that the same be not passed. The report was accepted, and the bill referred to the committee of the whole.

Mr. Livermore, from the committee appointed for that purpose introduced a bill to amend an act entitled an act to incorporate the vil-

lage of Jackson, which was read twice, referred to the committee on banks and incorporations, and ordered printed.

Mr. Tillson, from the select committee, appointed for that purpose, introduced a bill in addition to an act to alter, lay out and establish certain state roads therein mentioned, which was read twice and referred to the committee on roads and bridges.

The Speaker announced a communication from the attorney general, relative to the Michigan Insurance Company, which, on motion of Mr. McLeod, was laid on the table and ordered printed.

The following communication was received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, January 24, 1844. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of Secretary of State "an act to extend the time for the collection of taxes in the counties of Genesee, Clinton, Shiawassee, Kent, Lapeer and St. Clair."

JNO. S. BARRY.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Murphy asked and obtained leave of absence for Mr. Mosher till Tuesday.

Mr. Livermore, for Mr. Videto till to-morrow.

On motion of Mr. H. N. Walker, the bill to establish a land office, to prescribe and regulate the disposition of the public lands, and for other purposes, was taken from the general order and made the special order for the 26th instant.

On motion of Mr. Davis,

*Resolved,* That the committee on public lands be requested to inquire into the expediency of amending section 4 of an act to reduce the price of university and school lands, approved March 13, 1841, so as to allow an individual to purchase the lands by private entry, that have been forfeited.

On motion of Mr. Pratt, the bill making appropriations on the Central railroad was taken from the table, and made the special order for January 31st.

The amendments made by the committee on the judiciary to the Senate bill relative to slander, were concurred in, and the bill read a third time and passed.

The bill to amend chapter 6, title 2, part 4th of the revised statutes was read a third time, and the question being on its passage,

Mr. Joslin moved the previous question which was not sustained.

After some discussion the bill was passed by the following vote :

## YEAS.

Mr. Adams,	Mr. Knight,	Mr. Runyan,
Ames,	Lamond,	Shurtz,
Baldwin,	Livermore,	Snell,
Berry,	O. Miller,	Tillson,
Davis,	P. Power,	Van Husan,
Delamatter,	R. D. Power,	D. C. Walker,
Fairfield,	Pratt,	H. N. Walker.
Griffin,	Ramsdell,	White,
M. Hall,	Rix,	Speaker. 28
Joslin,		

## NAYS.

Mr. Barnard,	Mr. Hebard,	Mr. Ruehle,
Blindbury,	Knowlton,	Rowland,
Chester,	Leland,	Saunders,
Dunham,	McLeod,	Schoolcraft,
Ferguson,	H. L. Miller,	Sheldon,
H. Hall,	Murphy,	Stone,
Hawley,	Parmelee,	Vickery,
Haydon,	Porter,	23

On motion of Mr. Joslin, the title of the bill was amended by substituting "a bill giving the governor the power of commutation in certain cases."

The joint resolution instructing our Senators and requesting our Representatives relative to a modification of the present tariff law, was read a third time and passed.

Mr. Rowland moved to adjourn till half past 2 o'clock P. M.

Mr. McLeod moved to lay the motion on the table, which motion did not prevail.

The question then recurring on adjourning till half past two o'clock P. M., it was decided in the affirmative by the following vote :

## YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Rowland,
Ames,	Hebard,	Runyan,
Barnard,	Joslin,	Schoolcraft,
Berry,	Knight,	Sheldon,
Blindbury,	Knowlton,	Shurtz,
Davis,	Leland,	Snell,
Delamatter,	O. Miller,	Stone,

Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,

Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,

Tillson,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker. 42

# NAYS.

Mr. Baldwin,  
Chester,  
Livermore,

Mr. McLeod,  
H. L. Miller,  
Murphy,

Mr. Pratt,  
Saunders,

9

So the House adjourned till half past two o'clock.

## *Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Mosher and Videto were absent on leave, and Messrs. Barnard, Baldwin, Livermore, McLeod, Ramsdell, and Schoolcraft, absent without leave.

The Speaker announced the following message from the Senate.

SENATE CHAMBER, }  
January 24, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "bill to amend an act entitled an act relative to common or primary schools," and to respectfully inform you that the Senate have non-concurred therein. Also, the "joint resolution relative to timber and other materials furnished for the construction of the Saginaw canal," and to inform you that the Senate have concurred therein.

Also, to transmit a "joint resolution relative to a joint convention of the Legislature," and a "joint resolution relative to adjournment of the Legislature," which the Senate have adopted and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,

*Secretary of the Senate.*

The "joint resolution relative to timber and other materials furnished for the construction of the Saginaw canal," was ordered to be enrolled.

The "joint resolution relative to a joint convention of the Legislature," and the "joint resolution relative to the adjournment of the Legislature," were severally read and under the rule lay on the table for one day.

The House then went into committee of the whole on the bill to provide for the foreclosure of mortgages, Mr. D. C. Walker in the chair, and after a time spent thereon the committee rose, and by their chairman reported progress and asked and obtained leave to sit again.

On motion of Mr. Murphy, the House adjourned till to morrow morning at 10 o'clock.

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*Thursday, January 25, 1844.*

The House met pursuant to adjournment, and on calling the roll, Mr. Mosher was absent on leave, and Mr. McLeod without leave.

Prayer by the Rev. Mr. Duffield.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Delamatter, of Wilson Chaffee and 24 others, residents of Napoleon, Jackson county. for the incorporation of the Alphadelphia association. Referred to the committee on banks and incorporations.

By Mr. Adams, of sundry inhabitants, asking an appropriation of lands for the extension of the Southern railroad, and moved that the petition be referred to the committee on ways and means, with instructions to report to this House, whether the works of internal improvement can be extended without involving the state still further in debt.

Mr. D. C. Walker, moved to amend the motion by referring to the committee on internal improvement, which motion did not prevail.

The question recurring on the reference to the committee on ways and means, the petition was so referred.

By Mr. Videto, of Squire French of the town of Spring Arbor, Jackson county, asking the legislature to refund to him a certain amount of money, paid for primary school lands, prior to the passage of an act to reduce the price of university and school lands, approved February 15, 1842. Referred to the committee on public lands.

Also of Thomas McGee and others, inhabitants of the township of Concord, Jackson county, relative to the assessment and collection of school taxes. Referred to the committee on the judiciary.

By Mr. Knight, of Osmyn Childs and 26 other citizens of Eaton county, relative to altering the Clinton road. Referred to the committee on roads and bridges.

By Mr. Rowland, of John Everett, Nathan Armstrong, and 265 other citizens of the state of Michigan, for the improvement of the Grand River turnpike.

Also of Wm. Parker and 272 other citizens of this state for the same purpose.

Mr. H. N. Walker moved the reference of the petitions to a select committee of three, which motion prevailed, and the speaker appointed as such committee, Messrs. H. N. Walker, Rix and R. D. Power.

By Mr. Fairfield, of David Kimball and 170 others, of the county of Lenawee, asking for an alteration of the militia law of this state.

Also of Robert Parker and others, of the same county, for the same.

Also of L. G. Budlong and 107 others, of the same county for the same.

Also of Benjamin Anderson and 88 others, of the same county for the same.

All of which were referred to the committee on the militia.

By Mr. Haydon, of 31 legal voters of the township of Keeler, for the alteration of the name of said township. Referred to the committee on the organization of towns and counties.

By Mr. Shurtz, of Isaac Anthony and 26 other citizens of the county of St. Joseph praying that the word "white" may be stricken from the second article of the constitution of this state. Referred to the committee on the judiciary.

By Mr. Saunders, of 300 citizens of the county of Wayne, for the passage of a law requiring all colored persons to give bonds for their good conduct. Referred to the committee on the judiciary.

By Mr. Leland, of inhabitants of the township of Northfield, for the passage of a law to regulate licenses for the sale of spiritous liquors. Referred to the committee on the judiciary.

By Mr. Dunham, of Jeremiah Powers, and 70 other legal voters of Monroe county, for a new organization of the board of internal improvement, so that two members of the board shall be acting commissioners, one for the central and one for the Southern railroads. Referred to the committee on internal improvement.



By Mr. Rix, of H. N. Munson and others, of St. Clair county, for the establishment of a state road from the village of Palmer to the village of Riley. Referred to the committee on roads and bridges.

By Mr. Hebard, of inhabitants of the township of Marathon, Lapeer county, for the organization of a new township. Referred to the committee on the organization of towns and counties.

By Mr. Ames, of citizens of Berrien county, asking the legislature to take into consideration the proposition of reducing the minimum price of school and university lands. Referred to the committee on public lands.

By Mr. Ramsdell, of H. B. Harris and others, of Washtenaw county, asking the passage of a law, so that, at the annual township meetings, the electors may determine, by ballot, whether any licenses for the sale of intoxicating liquors, shall be granted by the township board.

Also, of C. G. Garland and others, of the same county, for the same purpose.

Also, of Theodore Foster and others, of the same county, for the same purpose.

Also, of C. G. Jones and others, of the same county, for the same purpose.

All of which were referred to the committee on the judiciary.

By Mr. D. C. Walker, of O. P. Southwell and others, citizens of Macomb county, asking an alteration of the fee bill, so as to allow the party succeeding in any case in justices' courts, the same fees for travel and attendance, as are now allowed to witnesses. Referred to the committee on the judiciary.

#### REPORTS.

Mr. H. N. Walker, from the committee on public lands, to whom was referred the petition of Isaiah J. Hudson, reported "a joint resolution relative to granting relief to Isaiah J. Hudson," which was read twice and referred to the committee of the whole.

Mr. D. C. Walker, from the committee on ways and means, reported back sundry claims, referred to that committee to be incorporated in the general appropriation bill, and moved to refer the same to the committee on claims; which motion prevailed.

Mr. Pratt, from the committee on engrossment and enrollment,

reported as correctly enrolled, "a joint resolution relative to timber and other materials furnished for the construction of the Saginaw canal," and that the same was this day presented to the governor for his approval.

Mr. H. N. Walker made the following report:

The select committee to whom was referred the petition of E. B. Harrington in regard to the publication of the decisions of the supreme court and court of chancery respectfully report :

That they have had the matter so referred under consideration, and have bestowed considerable attention to the same.

Your committee are satisfied that these decisions form an important part of the law of the land and require publication. That they establish important legal principles, interpret constitutional provisions and give construction to the laws which are essential and necessary to be understood by the people and to secure the due administration of justice.

It is for the legislature to enact, and for the courts to explain, give effect to the laws. Without the acts of the legislature, courts would be of but little use, without courts to execute and give effect to those acts, they would remain a dead letter.

In the course of proceedings in courts of justice, questions almost daily arise as to how far the common law is applicable, and how far the same has been abridged or is controlled by constitutional provisions and legislative enactments, also in regard to conflicting provisions of statutes, their legal effects and applicability to the almost unlimited variety of questions which arise.

All these matters are for courts to harmonize and explain, and it is due to the parties litigate as well as to the people, for whose benefit and protection, and at whose expense the judiciary is established and maintained that the opinions upon which these decisions of the courts are founded, should be written out in plain and intelligible language, and that the reasons for such decisions should be set forth and published to the world.

By requiring of the judges of these courts, written opinions upon the various questions passed upon by them, due attention to, and examination of the questions presented, are secured, and these decisions and the reasons upon which they are based, set forth in the opinion

of the court, form a guide, and precedent for subsequent decisions of similar questions in all the courts of the state, and in regard to questions and construction of statutes affecting real estate, they are regarded by the circuit court of the United States for the district as the guide and precedent for decision in that court.

These decisions, and the reasoning upon which they are based tend to establish uniformity in practice and certainty in legal proceedings; they materially aid legislation in pointing out discrepancies, incongruities and defects, in the laws, and when published, they enable the people to judge of the fitness, the capability and capacity of the men forming the judiciary to discharge the high and important duties which devolve upon that department of the government.

The third article of the constitution of this state provides "that the powers of the government shall be divided in three distinct departments; the legislative, the executive and the judicial, and that one of these departments shall never exercise the powers of the other.

In order to preserve and protect the right secured to the people by the provision of the constitution, and to guard against encroachments by the judiciary upon other departments, and the assumption of powers which do not belong to them, your committee conceive it equally as essential that their proceedings be published as the proceedings of the legislative department. Indeed, the decisions and opinions of the superior courts have ever been regarded as forming such an important part of the law of the land, that it has been one of the first objects of every state in the Union to provide for their publication.

In 1838, a provision was introduced into the revised statutes of this state requiring the judge of the supreme court, and the chancellor to appoint a reporter, and that they should communicate in writing to the reporter their opinions and decisions, upon all matters to be reported, and the reporter was required to publish the same annually; the several cases more or less, at large, according to their relative importance, so as not unnecessarily to increase the size or number of reports.

In 1839, the petitioner was appointed reporter, and in the winter of 1840 and 1841, published all the cases in chancery, up to January 1, 1841, at an expense of \$831.43. This bill for printing, the legislature refused to allow, and your committee think there is some

doubt whether under the provisions of the statute it is legally chargeable to the state.

The statute requires the reporter to publish these reports annually but does not provide at whose expense the same shall be published, and the reporter having refused to publish these reports at his own expense, the legislature suspended his salary.

By an act of the legislature at the last session, it is made the duty of each of the judges of the supreme court to whom any matter may be submitted to pronounce an opinion thereon and prepare an abstract of such opinion in writing embracing the legal points upon which a decision is made and on or before the first Monday of January in each year, to cause all such abstracts to be filed with the secretary of state, and that such opinions should be published in one of the newspapers printed in each of the several districts where such courts are held respectively and paid for by the state.

The provisions of this act have never been complied with, and your committee are satisfied that they never can be with any benefit or advantage to the state. The cost of publication in this form would be equally as much if not more than the cost of publication in the ordinary form. Again the publication of an abstract of an opinion of the court without the statement of the case, and without the care and attention of a proper and competent person to correct the proof, would be of no more authority in legal proceedings than any other article found inserted in a newspaper would be evidence of the facts therein contained, and your committee consider such publication as a useless expenditure.

The reporter has continued to discharge the duties of his office (except publishing the reports) since the salary was suspended up to the present time, and has now sufficient manuscripts, being opinions delivered by the supreme court, part of which is prepared for the press, to make a volume of about six hundred pages, and has sufficient manuscript consisting of the opinions of the court of chancery which is prepared for publication to complete the volume of chancery reports already commenced.

These two volumes would embrace all the decisions of the supreme court and court of chancery, of sufficient importance to report from the organization of the state government down to the present time.

It has been proved before your committee, that a provision was contained in the second section to the general appropriation act of last winter, requiring the auditor general, state treasurer and secretary of state to settle with the petitioner, pay for the publication of the reports which have been published, and that none of the said second section is contained in the printed laws of 1843. And the original bill as it passed both branches of the legislature is not to be found in the office of secretary of state.

Your committee think it no more than just that the state should pay for the publication of the reports which have already been published and pay the reporter a reasonable compensation for the services by him performed, and your committee respectfully recommend the continuance of the publication of said reports, under the provisions of the revised statutes and at the expense of the state, and for the purpose of carrying out the recommendation contained in this report, your committee beg leave to bring in a bill which is herewith submitted.

The report was accepted, and the committee discharged, and the bill to provide for the report of the decisions of the supreme court, and the court of chancery, was read twice, referred to the committee of the whole, and ordered to be printed.

On motion of Mr. M. Hall,

*Resolved*, That the judiciary committee be, and they are hereby instructed to inquire into the expediency of requiring all mortgages of personal property to be filed in the office of the township clerk, before they shall become operative in law, as against third persons having no knowledge of the existence of such mortgage.

On motion of Mr. H. L. Miller, the following resolution was taken from the table :

*Resolved*, That the committee on the judiciary be instructed to report forthwith, what action has been had, if any, upon that part of the executive message which relates to appraisal laws, relief laws, stay laws, &c., and which was referred to said committee, by resolution of this House.

The question being on the adoption of the resolution, it was decided in the affirmative.

The House then took up and passed the joint resolution relative to a "joint convention of the legislature."

On motion of Mr. P. Power, the committee of the whole were discharged from the further consideration of the "bill to provide for the foreclosure of mortgages," and the bill being before the House, Mr. D. C. Walker moved to lay the same on the table, which motion was lost.

Mr. D. C. Walker moved to refer the bill to a select committee of three, pending which motion,

Mr. Pratt moved to postpone the further consideration of the bill till the 29th instant, which motion was lost.

Mr. P. Power moved its indefinite postponement, which motion was lost by the following vote:

## YEAS.

Mr. Adams,	Mr. Knowlton,	Mr. Rix,
Ames,	Lamond,	Runyan,
Berry,	Livermore,	Schoolcraft,
Delamatter,	O. Miller,	Shurtz,
Fairfield,	P. Power,	Stone,
Hebard,	R. D. Power,	Videto,
Knight,	Ramsdell,	

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## NAYS.

Mr. Barnard,	Mr. Haydon,	Mr. Rowland,
Baldwin,	Joslin,	Sheldon,
Blindbury,	Leland,	Snell,
Chester,	McLeod,	Tillson,
Davis,	H. L. Miller,	Vickery,
Dunham,	Murphy,	Van Husan,
Griffin,	Parmelee,	D. C. Walker,
H. Hall,	Porter,	H. N. Walker,
M. Hall,	Pratt,	White,
Hawley,	Ruehle,	Speaker,

30

The question then recurring on the motion to refer to a select committee, it was lost.

On motion of Mr. D. C. Walker, the bill was then laid on the table.

On motion of Mr. Ramsdell,

The "bill to provide for the registry of certain deeds," was taken from the table, and it being before the House,

Mr. Ramsdell moved the indefinite postponement of the further consideration of said bill; which motion prevailed.

On motion of Mr. Snell,

The "bill relative to the duties of assessors and highway commissioners," was taken from the table, and it being before the House,

Mr. Joslin moved its indefinite postponement; pending which,  
On motion of Mr. H. N. Walker, the bill was laid on the table.

The House then went into committee of the whole on the general orders, Mr. Snell in the chair; and, after spending a short time thereon, the committee rose, and, by their chairman, reported that they had had under consideration "a bill to amend 'an act to provide for laying out a certain state road, and for other purposes,' approved April 13, 1841," and "a bill to establish certain state roads therein mentioned, and for other purposes," which they reported back without amendment.

The bill to amend an act to provide for laying out a certain state road, and for other purposes, approved April 13, 1841, was ordered to a third reading.

The bill to establish certain state roads therein mentioned, and for other purposes, being under consideration,

Mr. Murphy moved an adjournment; which motion was lost.

The bill was then ordered to be engrossed for a third reading.

Mr. Chester moved an adjournment.

Mr. Pratt moved to amend, by adjourning till half past two o'clock, P. M.; which motion was lost.

The question then recurring on the motion to adjourn, it prevailed.

So the House stands adjourned till ten o'clock, to-morrow morning.

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*Friday, January 26, 1844.*

The House met pursuant to adjournment, and on calling the roll, Mr. Mosher was absent on leave, and Messrs. Dunham and Livermore absent without leave.

Prayer by the Rev. Mr. Duffield.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Adams, of inhabitants of the townships of Mattison and Batavia, Branch county, for the passage of an act authorizing and requiring the commissioners of highways in said townships to appropriate all non-resident highway taxes which may be due said townships for the ensuing two years, for the purpose of repairing and construc-

ting a certain state road. Referred to the committee on roads and bridges.

By Mr. Joslin, of 38 citizens of Washtenaw county asking the passage of an act incorporating the Alphadelphia association in Michigan. Referred to the committee on banks and incorporations.

By Mr. Ramsdell, of 72 citizens of Washtenaw county, asking the passage of an act incorporating the Alphadelphia association in Michigan. Referred to the committee on banks and incorporations.

By Mr. Van Husan, of 22 citizens of Washtenaw county, for the same purpose. Referred to the committee on banks and incorporations.

By Mr. Pratt, of 19 citizens of Michigan, for the same purpose.—Referred to the committee on banks and incorporations.

By Mr. Stone, of Nathan N. Kendall, asking provision to be made for the payment of his claim against the state, in transportation on the southern railroad. Referred to the committee on claims.

By Mr. Vickery, of Charles E. Stuart, and others, for the location of a state road from the village of Kalamazoo to the mouth of South Black river, in Van Buren county. Referred to the committee on roads and bridges.

By Mr. Hebard, resolutions adopted at a public meeting of citizens of the township of Dryden, relative to the tax law, and also, a remonstrance against the repeal of the exemption law. Referred to the committee on ways and means.

By Mr. Fairfield, the petition of the President and common council of the village of Adrian, asking the repeal of section two, of an act amending the charter of said village, approved March 7, 1843, which he moved to refer to a select committee.

The motion prevailed, and the Speaker announced as such committee, Messrs. Fairfield, Murphy and Parmalee.

By Mr. Ames, of citizens of Berrien county, asking the legislature to take into consideration the propriety of reducing the minimum price of school and university lands. Laid on the table.

#### REPORTS.

Mr. H. N. Walker, from the committee on public lands, to whom was referred a resolution relative to altering the time fixed by law, for the annual payments on university lands, reported that in the opinion of the committee such change was inexpedient.



The report was accepted and the committee discharged.

The following message was received from the Senate:

SENATE CHAMBER, }  
January 25, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House that the Senate have concurred in the House amendments to the "bill relative to slander," and have ordered the bill as amended to be enrolled.

Also, to return the "joint resolution relative to a proposed amendment to the constitution of the state of Michigan," and the "preamble and joint resolutions relative to the construction of a road from Saginaw to Michilimackinac, and the Sault Ste Marie," and to respectfully inform you that the Senate have concurred therein.

Also, to transmit a "joint resolution in relation to the visitation of the state prison, by a committee of the legislature," which the Senate have adopted and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of Senate.*

The "joint resolution relative to a proposed amendment to the constitution of the state of Michigan," and the "preamble and joint resolutions relative to the construction of a road from Saginaw to Michilimackinac, and the Sault Ste Marie," were ordered to be enrolled.

The "joint resolution in relation to the visitation of the state prison by a committee of the legislature," was read twice and referred to the committee on the state prison.

Mr. Porter, in pursuance of previous notice, asked and obtained leave to introduce a bill to prohibit the circulation of small bills, and Messrs. Porter, Knight and Lamond were appointed a committee to bring in the bill.

Mr. Hawley asked and obtained leave, pursuant to previous notice, to introduce a "bill to amend an act providing for the final adjustment of all claims for damages growing out of the internal improvements of this state," and a "bill to provide for laying out and discontinuing public and private roads," and Messrs. Hawley, Joslin and Chester, were appointed a committee to bring in the bills.

Mr. Griffin, in pursuance of previous notice, asked and obtained leave to introduce a bill for the destruction of wolves, and Messrs. Griffin, M. Hall, and Van Huse, were appointed a committee to bring in the bill.

Mr. Rowland offered the following resolution:

*Resolved*, That when the House adjourn, it will adjourn to half-past two o'clock, P. M., and that the House will continue to hold two sessions each day until further ordered. The morning session to commence at ten o'clock, A. M., and the afternoon session at half past two o'clock.

Mr. H. L. Miller moved to amend the resolution so that the House should have two daily sessions from and after Monday next, which motion was lost.

Mr. P. Power moved to so amend the resolution that the House should have but one session, commencing at nine o'clock, A. M., and continuing till two o'clock, P. M., which motion was lost.

On motion of Mr. Schoolcraft, the resolution was amended by striking out "half past two," and inserting "three."

On motion of Mr. H. N. Walker, the word "ten" was stricken out, and "nine" inserted.

The question then being on the adoption of the resolution, it was decided in the negative and the resolution was lost.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed the "bill to establish certain roads therein mentioned, and for other purposes."

Mr. M. Hall, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an "act to provide for the equitable settlement of the estate of deceased persons," approved March 8th, 1843, and Messrs. M. Hall, Videto, and O. Miller, were appointed a committee to bring in the bill.

Mr. Saunders, in pursuance of previous notice, asked and obtained leave to introduce a bill to amend section six of an "act to divide the several counties of this territory, into townships and for other purposes," approved April 12, 1827.

Mr. Vickery introduced a "joint resolution instructing the commissioner of the land office to investigate the claim of school district No. 3, in the township of Kalamazoo," which was read twice and referred to the committee on public lands.

On motion of Mr. Murphy,

*Resolved*, That the committee on the judiciary be instructed to inquire whether any alteration or amendment of the law relating to replevin suits in justices courts certiorated to the circuit court is necessary, and that they report by bill or otherwise.

On motion of Mr. Stone, the vote by which the further consideration of the "bill to provide for the registry of certain deeds," was indefinitely postponed, was reconsidered, and the question being upon the indefinite postponement of the bill, it was decided in the negative.

On motion of Mr. Joslin, the bill was laid on the table.

Mr. Baldwin offered the following resolution :

*Resolved*, That from and after Monday next, this House hold two sessions daily, the morning session commencing at ten o'clock, A. M., the afternoon session at half past two o'clock, P. M.

On motion of Mr. Sheldon, the word "ten" was stricken out and "nine" inserted, and the resolution as amended was adopted.

Mr. Videto asked and obtained leave of absence for Mr. Livermere, till Tuesday next.

Mr. Stone, for Mr. Dunham, for the same time.

Mr. Baldwin moved a reconsideration of the vote, by which the resolution relative to holding two daily sessions was adopted, which motion did not prevail.

Mr. Hawley asked and obtained leave of absence for Mr. H. Hall till Tuesday next

Mr. Murphy, for Mr. Van Huse, for the same time.

Mr. Knight, for Mr. Porter, for the same time.

The "bill to amend an 'act to provide for the laying out of a certain state road and for other purposes,'" approved April 13, 1841; and the "bill to establish certain roads therein mentioned and for other purposes," were severally read a third time and passed.

The House then went into committee of the whole on the special order for the day, being the "bill to establish a land office; to prescribe and regulate the disposition of the public lands, and for other purposes," Mr. Joslin in the chair, and after a time spent thereon the committee rose, reported progress, and asked and obtained leave to sit again.

The Speaker announced the following communication from the executive:

EXECUTIVE OFFICE, }  
Detroit, January 26, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of the State a "joint resolution relative to the timber and other materials furnished for the construction of the Saginaw canal."

JNO. S. BARRY.

On motion of Mr. D. C. Walker, the House adjourned till two o'clock, P. M.

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*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Dunham, H. Hall, Livermore, and Mosher, were absent on leave, and Messrs. M. Hall, McLeod, O. Miller, Murphy, Ramsdell, Schoolcraft, and Sheldon, without leave.

Mr. Shurtz, from the committee on roads and bridges, made the following report:

The committee on roads and bridges, to whom was referred a bill in addition to an act entitled an act to alter, lay out and establish certain state roads therein mentioned, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Van Husan asked and obtained leave of absence for Mr. McLeod till to-morrow.

Mr. Shurtz offered the following resolution, which on motion of Mr. Pratt, was laid on the table.

*Resolved*, That a select committee be appointed to inquire into the affairs and condition of the Erie and Kalamazoo rail road company, whether said company has or has not violated their charter, and for obtaining correct information that they have power to send for persons and papers; and in case the charter of said company has been violated, they are hereby directed to bring in a bill for the repeal of said charter.

The House then went into committee of the whole on the special order, being a bill to establish a land office, &c., Mr. Joslin in the chair, and spending some time thereon, the committee rose and through their chairman reported the bill back to the House with sundry amendments in which the concurrence of the House was asked.

On motion of Mr. Rowland,

The bill was laid on the table.

On motion of Mr. Pratt the House adjourned.

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*Saturday, January 27, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Dunham, H. Hall, Livermore, Mosher, Porter and Van Hunsan, were absent on leave, and Messrs. O. Miller and Ramsdell without leave.

Prayer by the Rev. Mr. Duffield,

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Adams, of inhabitants of Branch county, asking the legislature to appropriate lands for the purpose of grubbing and grading the Southern Railroad through the third division of said survey. Referred to the committee on internal improvement.

By H. N. Walker, of Erastus Corning, relative to railroad spike furnished the state in 1839. Referred to the committee on internal improvement.

By Mr. Vickery, of John P. Mars, with accompanying documents relative to the claim of school district No. 3, in the town of Kalamazoo. Referred to the committee on public lands.

By Mr. Davis, of 39 inhabitants of the township of Freedom, county of Washtenaw, for the abolition of capital punishment. Referred to a select committee on that subject.

Also, of 69 citizens of the county of Wayne for the incorporation of a company for building a plank road between the city of Detroit, and the village of Birmingham, in the county of Oakland. Referred to the committee on banks and incorporations.

By Mr. White, three petitions of inhabitants of Grand River valley, asking an appropriation for the purpose of rendering the state

lands accessible by building a bridge across Grand River at Grand Rapids, in Kent county. Referred to the committee on internal improvement.

By Mr. Rowland, the claim of A. McFarren, for stationary furnished the Auditor General's office. Referred to the committee on claims.

#### REPORTS.

Mr. Murphy from the committee on banks and incorporations, made the following report, accompanied by a bill:

The committee on banks and incorporations to whom was referred the petition of sundry inhabitants of the county of Oakland, in the state of Michigan, asking for an act of incorporation of the Detroit and Birmingham Plank Road Company, respectfully report that they have had the same under consideration, and have instructed their chairman to report a bill for that purpose.

The report was accepted, and the "bill to incorporate the Detroit and Birmingham Plank Road Company," was read twice, referred to the committee of the whole, and ordered printed.

Mr. Murphy, from the same committee, to whom was referred the "bill to extend the time for the completion of the Havre branch railroad," respectfully reported that they had had the same under consideration and recommended the passage of the bill.

The "bill to extend the time for the completion of the Havre branch railroad;" was referred to the committee of the whole and ordered printed.

Mr. Pratt, from the committee on engrossment and enrollment reported the joint resolution relative to a proposed amendment to the Constitution of the State of Michigan, and the preamble and joint resolution relative to the construction of a road from Saginaw to Mackinac and Sault de Ste Marie, as correctly enrolled, and that the same were this day presented to the Governor for approval.

Mr. Pratt, from the committee of conference on the disagreement between the two Houses on the bill to define the crimes of adultery and fornication, and to provide for the punishment thereof, reported that they had had the same under consideration, and on mature deliberation had unanimously instructed him to report a sub-

stitute for the same, and recommend it passage; and ask to be discharged from the further consideration of the subject.

The question being on adopting the report of the committee,

On motion of Mr. H. L. Miller, the substitute was laid on the table and ordered to be printed.

Mr. M. Hall from the select committee appointed for that purpose introduced a "bill to amend section 1, chapter 1, title 2, part second of the revised statutes, relative to the descent of real estate," which was read twice, referred to the judiciary committee, and ordered printed.

Mr. Fairfield, from the select committee to whom was referred the petition of the President and Common Council of the village of Adrian, asking that section 2, of an act amending the charter of said village be repealed, reported a bill to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act to incorporate the village of Adrian, approved March 7, 1843.

Mr. Hawley, from the select committee appointed for that purpose, introduced "a bill to amend an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvement of this state," which was read twice, when,

Mr. Hawley moved to suspend the rule, so that the bill could be read a third time, which motion was lost.

The bill was then referred to the committee of the whole and ordered printed.

Mr. Schoolcraft, from the committee of conference, made the following report, which was accepted:

The committee of conference upon the disagreement between the two Houses, on the "joint resolution relative to the construction of a ship canal around the falls in the St. Mary's river at the Saut de Ste Marie," have agreed upon, and instructed me to report to the House the following modification of the original resolution and substitute adopted by the Senate, and ask the concurrence of the House in the preamble and resolution, as modified by the committee.

The preamble and joint resolution, as modified by the committee, were adopted.

Mr. Saunders, from the select committee appointed for that purpose, introduced "a bill to amend section six of 'an act to divide the

several counties of this territory into townships, and for other purposes, approved April 12, 1827," which was read twice and referred to the committee on the organization of towns and counties.

Mr. Hawley, from the select committee appointed for that purpose, introduced "a bill to provide for laying out and discontinuing public and private roads," which was read twice, referred to the committee of the whole and ordered printed.

Mr. H. L. Miller, from the select committee appointed under a resolution of inquiry relative to the auditor general, made a report, which was accepted, laid on the table and ordered to be printed.

On motion of Mr. H. N. Walker,

*Resolved*, That the auditor general be requested to furnish this House with the estimated expenses of publishing the notice of the sale of lands for taxes for 1844, in pamphlet form, as now provided by law.

Mr. Berry asked and obtained leave of absence till Thursday, for Mr. O. Miller

On motion of Mr. D. C. Walker,

The "bill to incorporate the Michigan railroad company, and to authorize the sale of the Southern and Central railroads," was made the special order of the day for Tuesday next.

Mr. Joslin asked and obtained leave of absence for Mr. Ramsdell, for the day.

On motion of Mr. Ames,

The petition of citizens of Berrien county, relative to the reduction of the price of school and university lands, was taken from the table and referred to the committee on public lands.

The Speaker announced the following communication from the governor:

EXECUTIVE OFFICE, }  
Detroit, January 27, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "preamble and joint resolutions relative to the construction of a road from Saginaw to Michilimackinac and the Saut Ste Marie."

Also, "a joint resolution relative to a proposed amendment to the constitution of the state of Michigan."

JOHN S. BARRY.



The following message was received from the Senate :

SENATE CHAMBER,  
January 27, 1844. {

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the “joint resolutions relative to the St. Mary’s ship canal,” with the substitute reported by the committee of conference on the part of the Senate, and to respectfully inform you that the Senate have concurred therein.

JAS. E. PLATT,  
*Secretary of Senate.*

The joint resolutions relative to the construction of a ship canal around the falls of St. Mary, were ordered to be enrolled.

Mr. H. N. Walker called up from the table the “bill to establish a land-office; to prescribe and regulate the disposition of the public lands, and for other purposes.”

The amendments made in committee of the whole were concurred in, in gross, except the amendment striking out section 61, which was non-concurred in.

Mr. Pratt moved to strike out the 23d section, which motion, after some discussion, was withdrawn.

Mr. H. L. Miller moved to strike out the words “village of Marshall, in the county of Calhoun,” in the fourth line of section one, and insert, “city of Detroit in the county of Wayne;” which motion was lost.

Mr. Knowlton moved to strike out the word “September,” in the sixth line of section 23, and insert “October;” which motion did not prevail.

Mr. Baldwin moved to amend section 54, by striking out, in the second line, all after the word “state,” to the word “any,” in the third line, and insert, “or shall cut down or destroy any timber or wood standing or growing thereon, or shall carry.”

Mr. Barnard moved to amend the motion to amend, by striking out all before the word “or,” in the third line of section 54, and insert, “every person who shall commit any wilful trespass on any lands owned or held in trust, or otherwise, by this state, either by cutting down or destroying any timber or wood standing or growing thereon, or by carrying away any timber or wood therefrom, or who shall injure;” which amendment to the motion was accepted by the mover, and the question being on the motion to amend, it prevailed.

Mr. Hebard moved to amend by striking out the word "five," in the seventh line of section 54, and inserting "three," which motion was lost.

Mr. Shurtz moved to amend the first line of section 10, by striking out the word "twelve," and inserting "six."

Mr. Joslin called for a division of the question, and the question being on striking out,

Mr. McLeod asked to be excused from voting, and the House excused him.

The word "twelve," was then stricken out by the following vote:

## YEAS.

Mr. Adams,	Mr. Ferguson,	Mr. Ruehle,
Ames,	Griffin,	Runyan,
Barnard,	Hebard,	Shurtz,
Baldwin,	Knowlton,	Snell,
Berry,	Lamond,	Stone,
Blindbury,	H. L. Miller,	Vickery,
Chester,	Murphy,	White,
Davis,	R. D. Power,	Speaker,
Delamatter,	Pratt,	

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## NAYS.

Mr. M. Hall,	Mr. Parmelee,	Mr. Sheldon,
Hawley,	P. Power,	Tillson,
Haydon,	Rix,	Videto,
Joslin,	Saunders,	D. C. Walker,
Knight,	Schoolcraft,	H. N. Walker,
Leland,		

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Mr Joslin moved to insert "eleven," pending which motion,

On motion of Mr. Joslin, the House adjourned.

*Monday, January 29, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Dunham, H. Hall, Livermore, O. Miller, Mosher, Porter and Van Husan, were absent on leave, and Mr. Saunders absent without leave.

The journal of yesterday was read and approved.

## PETITIONS.

By Mr. Delamatter, of Isaac E. Crary, E. S. Camp, and 160 others, residents of Calhoun county, asking the incorporation of Alpha-

delphia association. Referred to the committee on banks and incorporations.

By Mr. Vickery, of 34 citizens of Kalamazoo county, for a reduction of the price of university lands. Laid on the table.

By Mr. Stone, two petitions of citizens of Monroe county, for the passage of an act allowing a pre-emption right to certain school lands therein mentioned, to William M. Springer. Referred to the committee on public lands.

By Mr. Davis, of 65 inhabitants, of the county of Oakland, for the incorporation of a company to build a plank road between the city of Detroit and the village of Birmingham, in the county of Oakland. Laid on the table.

#### REPORTS.

Mr. Shurtz, from the committee on roads and bridges, reported "a bill to lay out and establish a state road from Tuscola, in the county of Tuschla, to Lower Saginaw, in the county of Saginaw," "a bill for the appropriation of certain non-resident highway taxes to the construction of the state road from Marshall to Ionia," "a bill to lay out, establish and provide for the construction of a state road from the village of Hastings to the village of Grand Rapids," and "a bill to lay out, establish, and provide for the construction of a state road from the village of Kalamazoo to South Haven, at the mouth of Black River," which bills were severally read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Chester, from the committee on the state prison, to whom was referred the "joint resolution in relation to the visitation of the state prison by a committee of the legislature, reported the same back, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred that portion of the Governor's message relating to appraisal laws, relief laws, &c., submitted a majority report on those subjects, which was read, accepted, and laid on the table.

Mr. Joslin moved 500 extra copies of the report be ordered printed.

Mr. Murphy moved to amend the motion, by ordering 100 extra copies, which motion was lost.

The question recurring on the motion to order 500 extra copies, it prevailed.

Mr. Baldwin, from the committee on the judiciary, submitted a minority report on the same subject, which was read, accepted, and

On motion of Mr. Joslin,

Laid on the table, and 500 extra copies ordered printed.

Mr. Murphy from the committee on banks and incorporations, to whom was referred the "bill to amend an act entitled 'an act to incorporate the city of Monroe,'" reported the same back, and recommended that it be not passed.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Pratt, from the committee on enrollment and engrossment, reported as correctly enrolled, the "preamble, and joint resolution relative to the construction of a ship canal around the falls of St. Mary's river, at the Saut de Ste Marie," and that the same was this day presented to the Governor for his approval.

Mr. Rix made the following report, which was accepted, and the committee discharged.

The select committee, to whom was referred the claim of the adjutant general of this state, for extra expenditures, report that they have had the same under consideration, and that they have instructed me as their chairman, to report the accompanying bill, and recommend its passage, and the committee ask to be discharged from the further consideration of the subject.

The "bill making appropriation for extra expenses incurred by the adjutant general," was read twice, referred to the committee of the whole, and ordered printed.

#### MOTIONS, RESOLUTIONS, AND NOTICES.

On motion of Mr. Hawley,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of limiting by law the time in which suits may be brought upon justice bonds, and report by bill or otherwise.

Mr. Rowland asked and obtained leave of absence for Mr Saunders till to-morrow.

Mr. H. L. Miller moved to take up from the table, the report of the committee of conference, on the disagreement between the two Houses, on the bill to define the crimes of fornication and adultery, and to provide for the punishment thereof," which motion prevailed, and the question being on the adoption of the report, it was adopted by the following vote:

## YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Ramsdell,
Ames,	Hebard,	Ruehle,
Baldwin,	Joslin,	Rix,
Berry,	Knight,	Rowland,
Blindbury,	Knowlton,	Runyan,
Chester,	Lamond,	Sheldon,
Davis,	Leland,	Shurtz,
Delamatter,	H. L. Miller,	Stone,
Fairfield,	Murphy,	Tillson,
Ferguson,	Parmelee,	Vickery,
M. Hall,	P. Power,	D. C. Walker,
Hawley,	Pratt,	White,
		36

## NAYS.

Mr. Griffin,	Mr. Schoolcraft,	Mr. H. N. Walker,
McLeod,	Snell,	Speaker,
R. D. Power,	Videto,	
		8

Mr. Murphy offered the following resolution:

*Resolved*, That the board of internal improvement be requested to report as soon as practicable, to this House, the amount which has been expended in the building and construction of the Central railroad to Jackson, also the amount which has been paid for cars, locomotives, and fixtures thereto belonging; also, the amount of expenditures for each year, in running the said cars, or repairing the road, cars, &c., and that they also report the amount which has been expended in the building or construction of the Southern railroad, the amount of expenditure for cars, fixtures, &c., the amount of expenditure for each year, in running the said cars, and in making repairs of road, cars &c.

Mr. H. L. Miller moved to amend by adding, "and also, the nett proceeds of each road for each year," which amendment was accepted by the mover.

Mr. Joslin moved to amend by adding, "and what has been the cost for superstructure and iron on each road, and what has been the cost

of right of way on each road," which motion prevailed, and the resolution as amended was adopted.

The unfinished business being the land office bill, came up in order, when it was,

On motion of Mr. Ramsdell, laid on the table.

The House then went into committee of the whole, on the general order, Mr. Ramsdell in the chair, and after some time spent thereon, the committee rose, and by their chairman, reported that they had had under consideration, a "bill to amend an act entitled an act authorizing William W. Bliss administrator, &c., of Hervey Bliss, to convey certain real estate, approved February 22, 1843," which they reported back without amendment, "a bill to authorize appeals from supervisors," which they reported back with amendments, in which the concurrence of the House was asked. and "a bill to amend an act entitled an act to provide for the assessment and collection of taxes," approved March 8, 1843, and for other purposes," on which they had made some progress, and asked leave to sit again. Leave was granted.

The "bill to amend an act entitled an act authorizing Wm. W. Bliss," &c, was, on motion of Mr. D. C. Walker, laid on the table.

The amendments to the "bill to authorize appeals from supervisors," were concurred in, when

Mr. H. L. Miller moved to strike out all after the enacting clause.

Mr. Rowland moved to lay the bill on the table, which motion was lost.

The question then recurring on the motion to strike out all after the enacting clause, it prevailed.

On motion of Mr. Joslin, the enacting clause was indefinitely postponed.

On motion of Mr. Rowland, the House adjourned till half past two o'clock, P. M.

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#### AFTERNOON SESSION.

The House met pursuant to adjournment, and, on calling the roll, Messrs. Dunham, H. Hall, Livermore, O. Miller, Mosher, Porter, Saunders and Van Husan, were absent on leave, and Messrs. McLeod, Schoolcraft and H. N. Walker, were absent without leave.

The House then resolved itself into committee of the whole on the "bill to amend the act to provide for the assessment and collection of taxes," Mr. Ramdehl in the chair, and after some time spent thereon the committee reported progress, and asked and obtained leave to sit again.

On motion of Mr. Berry the House adjourned.

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*Tuesday, January 30, 1844.*

The House met pursuant to adjournment, and on calling the roll, Mr. O. Miller was absent on leave, and Messrs. Saunders and Videto without leave.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Sheldon, of A. L. Deming and 25 others, of the county of Calhoun, for the appointment of commissioners to lay out a certain road therein mentioned. Referred to the committee on roads and bridges.

By Mr. Pratt, of Peter Van Every, and 70 other citizens of Oakland county, for the passage of an act of incorporation, for the Detroit and Birmingham plank road company. Laid the table.

By Mr. White, of E. B. Bostwick and others for the establishment of a branch land office at Grand Rapids. Referred to the committee on public lands.

REPORTS.

Mr. Murphy, from the committee on banks and incorporations, to whom was referred the "bill to amend an act to incorporate the village of Jackson," approved March 7, 1843, reported the same back, and recommended its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom was referred the "bill to amend section 6, of an act to divide the several counties in this territory into townships, and for other purposes," approved April 12, 1827, reported the same back with an amendment.

The report was accepted, the committee discharged and the bill and amendments referred to the committee of the whole.

Also, from the same committee, to whom was referred the petition of 31 legal voters of the township of Keeler, for the alteration of the name of said township, reported adverse to the prayer of the petition.

On motion of Mr. Haydon,

The petition was referred back to the committee with instructions to give reasons for reporting adverse to the petition.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom was referred the petition of citizens of Ionia township, for a division of said township, and also a remonstrance against said division, reported adverse to said division.

The report was accepted and the committee discharged.

Mr. H. N. Walker, from the committee on public lands, to whom was referred a petition and a joint resolution relative to the claim of school district No. 3, in the town of Kalamazoo, reported the same back, and report that the committee cannot find any reason for allowing said claim, and therefore recommend the indefinite postponement of the joint resolution.

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Also, from the same committee, to whom was referred the petition of Squire French, for the refunding of certain moneys paid by him for school lands, reported that they do not think the petitioner has any legal or equitable claim against the state, and that the prayer of the petition ought not be granted.

The report was accepted and the committee discharged.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the resolution of inquiry as to the expediency of amending the law relative to the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners, and for other purposes, reported a "bill to amend an act entitled an act to provide for the issuing and return of venires, the payment of jurors, the appointment of circuit court commissioners, and for other purposes," approved March 9, 1843, which was read twice, referred to the committee of the whole, and ordered printed.



Also, from the same committee, to whom was referred the resolution of inquiry, relative to the expediency of limiting by law the time upon which suits may be brought upon justic s bonds, reported that no legislation is necessary.

The report was accepted, and the committee discharged.

Also, from the same committee, to whom was referred the petition of O. P. Southwell, and others, relative to an alteration of the fee bill, reported adversely to the prayer of the petition.

The report was not accepted.

Also, from the same committee, to whom was referred the bill to amend an act to repeal a part of chapter 8, title 5, part 1st of the revised statutes, and for other purposes, reported the bill back without amendment, and the bill was referred to the committee of the whole.

Mr. H. N. Walker, from the committee on public lands, to whom was referred the petition of Wm. M. Springer, and others, reported that they had had the same under consideration, and are of the opinion that the prayer of the petitioners ought not to be granted.

The report was accepted, and the committee discharged.

Also, from the same committee, to whom was referred the petition of Stephen J. Morse and others, reported adverse to the prayer of the petition.

The report was accepted and the committee discharged.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom was referred the petition of John F. Fuller and 23 others, residents of town two, north of seven east, for the organization of a separate township, reported adverse to the prayer of the petition.

The report was accepted and the committee discharged.

Mr. H. N. Walker, from the committee on public lands, to whom was referred the resolution to inquire into the expediency of amending the act to reduce the price of university and school lands, approved April 13, 1841, reported that they had had the same under consideration, and that the bill heretofore reported by the committee, contains all the additional provisions which are requisite or necessary.

The report was accepted, and the committee discharged.

Also, from the same committee, submitted a report, relative to the reduction of the price of universitylands accompanied by a bill.

The report was read, laid on the table, and

On motion of Mr. Ramsdell, ordered printed.

The "bill to authorize the receipt of the obligations of this state in payment of university lands," was read twice, referred to the committee of the whole and ordered printed.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom was referred the petition of inhabitants of the township of Marathon, Lapeer county, for the organization of a new township, reported adverse to the prayer of the petition.

The report was accepted and the committee discharged.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Joslin,

Three hundred extra copies of the report of the committee on public lands were ordered printed.

On motion of Mr. Dunham,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of amending the act to provide for the equitable settlement of the estate of deceased persons, so that subsequent appraisements may be had of real estate, provided a sale cannot be made at the first appraisal within one year.

On motion of Mr. McLeod,

*Resolved*, That the several standing committees of this House, with the exception of the committee on engrossment and enrollment, and the committee on supplies and expenditures, be and they are hereby instructed to embody in their reports a brief statement of the reasons on which such reports are founded.

Mr. Stone gave notice that he should, at some future day ask leave to bring in a bill to allow to Wm. M. Springer and Stephen J. Morse the right to pre-emption to certain school lands.

Mr. Chester, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the law relative to highway labor, and Messrs. Chester, Vickery and Hawley were appointed a committee to bring in the bill,

On motion of Mr. Shurtz, the following resolution was taken from the table :

*Resolved*, That a select committee be appointed to inquire into the aims and condition of the Erie and Kalamazoo railroad company,

whether said company has or has not violated their charter, and for the purpose of obtaining correct information, that they have the power to send for persons and papers, and in case the charter of said company has been violated, they are hereby directed to bring in a bill for the repeal of said charter.

The resolution was then adopted, and Messrs. Shurtz, White, Porter, Stone and Barnard, were appointed a committee under the same.

Mr. H. N. Walker, on leave, presented the petition of Augustus Button, administrator on the estate of John Stanton. Referred to the committee on the judiciary.

The House then resolved itself into committee of the whole on the special order of the day, being the "bill to incorporate the Michigan Railroad Company, and to provide for the sale of the Southern and Central railroads," Mr. McLeod in the chair, and after spending some time thereon, the committee rose, and by their chairman, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Videto, the House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Mr. O. Miller was absent on leave, and Messrs. P. Power and Schoolcraft without leave.

The House resolved itself into committee of the whole on the special order, being the "bill to incorporate the Michigan railroad company, and to provide for the sale of the Southern and Central railroads," Mr. McLeod in the chair, and after some time spent thereon, the committee rose, reported progress, and asked leave to sit again. Leave was granted.

On motion of Mr. H. L. Miller, the House adjourned.

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*Wednesday, January 31, 1844.*

The House met pursuant to adjournment, and on calling the roll, Mr. O. Miller was absent on leave, and Messrs. Chester and H. Hall without leave.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. M. Hall, of 115 citizens of Battle Creek, in the county of

Calhoun, asking the repeal of the stay and stop laws. Referred to the committee on the judiciary.

By Mr. Sheldon, of J. N. Taylor, and 33 others, asking that the word "white" may be expunged from the second article of the constitution of this state. Referred to the committee on the judiciary.

By Mr. Griffin, of Luther Humphrey, and others, legal voters of Cass county, for the enactment of a law for the better protection of personal liberty. Referred to the committee on federal relations.

By Mr. H. N. Walker, the claim of John McReynolds, for wood furnished the state. Referred to the committee on claims.

By Mr. Lamond, of 81 citizens of Genesee county, asking that the non-resident road tax on lands for two miles on each side of the Saginaw turnpike, commencing at the north line of said county, and extending to the north line of the farm of C. N. Beecher, in the town of Genesee, may be applied on said turnpike for three years. Referred to the committee on roads and bridges.

By Mr. Snell, of forty-six inhabitants of Oakland county, for a state road from the village of Lakeville to the Northern Railroad, (so called) via E. M. Phelps and Eri Potter's mills. Referred to the committee on roads and bridges.

By Mr. Davis, of Thomas Whitfield, Wm. Besley and 78 others, citizens of Oakland county, for the incorporation of a company to build a plank road from Detroit to Birmingham. Laid on the table.

By Mr. Haydon, of 200 inhabitants of Van Buren county, for the repeal or modification of the existing tax laws. Referred to the committee on ways and means.

Also, the proceedings of a meeting of citizens of Van Buren county, on the subject of the tax law, and certain works of internal improvement, which was read, when

Mr. Haydon moved that 300 extra copies be ordered printed, pending which motion,

On motion of Mr. Shoolcraft, the proceedings were laid on the table.

By Mr. Livermore, of M. B. Medbury, and 100 other citizens of the valley of Grand River, relative to the improvement of said river. Referred to the select committee on that subject.

Also, of John C. Spencer, and 34 other citizens of Jackson, asking the legislature to authorize the conveyance of certain state lands situate in Jackson, to the Jackson Guards, upon conditions mentioned

in said petition. Referred to the committee on the militia.

By Mr. Pratt, of sundry citizens of the county of Oakland, for an act of incorporation for the Detroit and Birmingham plank road company. Laid on the table.

By Mr. Knowlton, of 39 citizens of the county of Oakland, for the same purpose. Laid on the table.

By Mr. Haydon, of 150 legal voters of the counties of Kalamazoo and Van Buren, for appropriations for the improvement of the Paw Paw river. Referred to the committee on internal improvement.

By Mr. Joslin, of sundry persons, for the removal of a water station on the central railroad in Lima, Washtenaw county. Referred to the committee on internal improvement.

Also, the claim of John Van Fossen for lumber. Referred to the committee on claims.

Also, the petition of Justin Marsh, and other citizens of Washtenaw county, for the restoration of the adultery law, repealed last winter. Laid on the table.

By Mr. D. C. Walker, the claim of Daniel Thurston, for damages caused by the construction of the state mill dam near Frederick, in Macomb county, and by the Clinton and Kalamazoo canal. Referred to the committee on public lands.

Also, the claim of Porter Kibbee, assignee of John Stockton.— Referred to the committee on claims.

By Mr. Vickery, the claim of A. S. Kellogg, for stationery for the Secretary of State. Referred to the committee on claims.

Also, the claim of N. Snyder for sawing and splitting wood. Referred to the committee on claims.

By Mr. R. D. Power, memorial of Lucy Stevens, praying that certain moneys heretofore paid for lands, which lands have been forfeited, may apply on a subsequent purchase. Referred to the committee on public lands.

By Mr. Ames, of Joseph McKnight and others, to grant to said McKnight a certain piece of university land therein mentioned, at its just value.

Also, of Moses Finch, senior, and others, relative to state and university lands. Both of which petitions were referred to the committee on public lands.

By Mr. Livermore, of N. V. Berry and 35 other citizens of the village of Jackson, asking the incorporation of the Citizens' Bank, to be located in the village of Jackson, with a capital of \$50,000. Referred to the committee on banks and incorporations.

By Mr. Saunders, the claim of John Garrett, for services rendered in the Toledo war. Referred to the committee on the militia.

#### REPORTS.

Mr. Vickery, from the committee on claims, to whom was referred the account of S. Withey, sheriff of Kent county, for services rendered and expenses incurred in the year 1839, in attempting to ferret out the murderers of the Glass family, so called, reported that finding neither law or usage to justify the allowance of this claim against the state, your committee ask to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Baldwin from the committee on the organization of towns and counties, to whom was referred a petition for, and a remonstrance against, the division of the township of Bronsor, reported adverse to such division.

The report was accepted and the committee discharged.

Also, from the same committee, to whom was referred back the petition of inhabitants of the township of Keeler, with instructions to give reasons for reporting adverse to the prayer of the petition submitted the following report which was accepted, and the committee discharged.

The committee on the organization of towns and counties, to whom was referred back the petition of sundry inhabitants, to change the name of the township of Keeler, in the county of VanBuren, with directions to give their reasons for reporting adversely, respectfully report:

That the committee have had the matter under consideration, and recommend that the contemplated change be not made. Your committee have had nothing before them, showing that the citizens of the township of Keeler desire such a change. A petition has been presented to the committee, signed by thirty individuals. The petition is in the following words:

"To the Honorable, the Legislature of the State of Michigan: We, the undersigned, do earnestly solicit your honorable body to change

the name of the township of Keeler, and call it Sparta. (Please pardon the shortness of this petition,) for in the above is embodied our unanimous feelings. Dated Keeler, December 27, 1843."

The above is all that the committee have had before them, to direct them as to the wishes of any portion of the citizens of that vicinity in relation to the change of the name of the township of Keeler. Independent of any other facts, and relying upon the foregoing petition, the committee could not recommend a change. The petition does not set forth whether the names affixed to the same, are legal voters of the township of Keeler, or in fact, citizens of the state. It simply states that they desire the change, and that "all their unanimous feelings are embodied in the petition." In all cases, where a change is absolutely necessary, your committee would cheerfully unite with any portion of their fellow citizens in effecting the same. In this case, no reason is set forth, no hardships enumerated, or benefits anticipated, by the proposed alteration.

Your committee also believe, that a greater portion of the inhabitants of that township, were ignorant of the petition at the time of its presentation to this House. It bears date December 27, 1843, five days previous to the commencement of this session.

The township of Keeler, your committee are informed, contains a post-office of the same name. The town is also known by the present name, and your committee believe that it would cause a great derangement in their local matters if the change should take place. The name of a township is of little consequence, provided there be but one of a like name in the state. When a town is organized, and its name has become engrafted with it, the latter should not be altered without cogent reasons for so doing. In the case before us, no such reasons have been presented, and your committee are unanimously of opinion, that no alteration should be made; all of which is respectfully submitted.

The following message was received from the Senate:

SENATE CHAMBER,  
January 30, 1844. {

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the report of the committee of conference on the bill to define the crimes of adultery and fornication, and to provide for the punishment thereof, have adopted and passed the

substitute, entitled a bill to punish persons criminally who are guilty of seduction or adultery and for other purposes, and have ordered the same to be enrolled.

Also, to transmit a joint resolution relative to the claims of C. W. Chapel and John F. Hamlin, which the Senate have adopted and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAS. E. PLATT,  
*Secretary of Senate.*

The joint resolution relative to the claims of C. W. Chapel and John F. Hamlin, was read twice and referred to the committee on internal improvement.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. H. L. Miller moved to take from the table the joint resolution fixing the day of adjournment, which motion did not prevail.

On motion of Mr. Davis, Messrs. Parshall and Foster were allowed to withdraw from the table their claims.

Mr. Saunders gave notice that at some future day he should ask leave to introduce a bill to divide the counties of Monroe and Wayne and for the organization of a new county.

On motion of Mr. Stone,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of providing by law for holding the term of the court of chancery of this state for the fifth circuit alternately at the village of Adrian and the city of Monroe, and that they report by bill or otherwise.

On motion of Mr. Fairfield,

*Resolved*, That the select committee appointed to inquire into the affairs of the Lake Erie and Kalamazoo railroad company, &c., be instructed to notify the president or secretary of said company, of the time and place of such inquiry, also that they have the privilege of presenting such facts to said committee as they may deem necessary.

On motion of Mr. Rix,

*Resolved*, That the judiciary committee be instructed to examine into the propriety of amending part 3, title 1, chapter 6, of the revised statutes of this state, so that whenever any citizen of this state



who possesses a good moral character and a sufficient degree of legal knowledge that the court or committee before whom said citizen shall appear for examination may grant him license to practice at law as an attorney and counsellor, without having the certificate of a counsellor or an attorney, that the said applicant has regular and attentively studied the law under the direction of said attorney and counsellor for the term of three years.

Mr. Stone pursuant to previous notice, asked and obtained leave to introduce a bill to grant a right of pre-emption to Stephen J. Morse and William M. Springer, and Messrs. Stone, H. N. Walker and H. L. Miller, were appointed a committee to bring in the bill.

On motion of Mr. Fairfield, the bill to amend an act entitled an act authorizing William W. Bliss, administrator of Hervey Bliss deceased, to convey certain real estate, approved February 22, 1843, was taken from the table and the same being under consideration,

Mr. Fairfield offered a substitute for the bill which was adopted, and the bill ordered to a third reading.

On motion of Mr. Haydon, the proceedings of the meeting of citizens of Van Buren county laid on the table this morning, were taken from the table and referred to the committee on ways and means.

The bill to amend an act entitled an act authorizing Wm. W. Bliss administrator, &c., was read a third time and passed.

The House then went into committee of the whole on the bill to incorporate the Michigan railroad company, &c., Mr. McLeod in the chair, and after spending some time thereon, the committee rose, reported progress and asked and obtained leave to sit again.

The Speaker announced a communication from the auditor general relative to the costs of publishing delinquent tax lists in pamphlets which was read, laid on the table, and ordered to be printed.

The hour having arrived at which it was agreed that the two Houses should go into joint convention for the election of state treasurer,

On motion of Mr. Pratt, a committee of two was appointed to wait on the Senate and inform them that the House was now ready to receive them in the hall of the House of Representatives.

The Speaker appointed as such committee Messrs. Pratt and Mosher.

After a short absence, the committee returned and reported that they had discharged the duties imposed on them, when the honorable the Senate was announced, and were conducted to their seats.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President pro tem. of the Senate, when the rolls of the respective houses were called and the following Senators and Representatives answered to their names.

*Senators.*

Mr. Compton,  
Gray,  
Green,  
Hart,  
Howell,

Mr. Mason,  
Niles,  
Patterson,  
Pratt,  
Redfield,

Mr. Richmond,  
Shearer,  
Starkey,  
Thurber,  
Wilson,

*Representatives.*

Mr. Adams,  
Ames,  
Baldwin,  
Barnard,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,

Mr. Joslin,  
Knight,  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
McLeod,  
H. L. Miller,  
Mosher,  
Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,  
Ramsdell,  
Ruehle,

Mr. Rix,  
Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker.

On motion of Senator Howell, the convention proceeded to elect a state treasurer by voting *viva voce* as follows :

For JOHN J. ADAM,

*Senators.*

Mr. Cust  
Compton,  
Gray,  
Green,  
Hart,  
Howell,

Mr. Mason,  
Niles,  
Patterson,  
Pratt,  
Redfield,

Mr. Richmond,  
Shearer,  
Starkey,  
Thurber,  
Wilson,

*Representatives.*

Mr. Adams,	Mr. Hawley,	Mr. Rix,
Ames,	Hebard,	Rowland,
Barnard	Joslin,	Runyan,
Baldwin,	Knight,	Saunders,
Berry,	Knowlton,	Schoolcraft,
Blindbury,	Lamond,	Sheldon,
Chester,	Livermore,	Shurtz,
Davis,	McLeod,	Snell,
Delamatter,	Mosher,	Stone,
Dunham,	Murphy,	Tillson,
Fairfield,	P. Power,	Videto,
Ferguson,	R. D. Power,	Van Husan,
Griffin,	Porter,	D. C. Walker,
H. Hall,	Pratt,	H. N. Walker,
M. Hall,	Ruehle,	Speaker, 45

For ELISHA P. CHAMPLIN,

*Representatives.*

Mr. Haydon,	Mr. H. L. Miller,	Mr. Vickery,
Leland,	Parmelee,	White, 6

For HENRY H. BROWN,

*Representative.*

Mr. Ramsdell,	1
On motion of Senator Green,	

*Resolved by the Senate and House of Representatives of the State of Michigan, in joint convention assembled,* That whereas John J. Adam has received a majority of the votes for treasurer of the state of Michigan, he is hereby declared to be duly elected state treasurer for the constitutional term to commence at the expiration of his present term.

On motion of Senator Starkey, the joint convention adjourned *sine die*.

JAS. E. PLATT,

*Secretary of the Senate.*

A. W. HOVEY,

*Clerk of the House of Representatives.*

The House of Representatives was then called to order by the Speaker, when,

On motion of Mr. McLeod, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Mr. O. Miller was absent on leave, and Messrs. Fairfield, Ramsdell, and Schoolcraft, absent without leave.

The Speaker announced a communication from the acting commissioner of internal improvement, relative to the cost of the Central and Southern railroads, the nett proceeds thereof, &c., which was read, laid on the table, and

On motion of Mr. Pratt, 500 extra copies were ordered printed.

The House then went into committee of the whole, on the "bill to incorporate the Michigan Railroad company," &c., Mr. McLeod in the chair, and after some time spent thereon, the committee rose, reported progress, and asked leave to sit again. Leave was granted.

On motion of Mr. Van Husan, the House adjourned.

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*Thursday, February 1, 1844.*

The House met pursuant to adjournment and on calling the roll, Messrs. O. Miller, Mosher and H. N. Walker were absent without leave.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and approved.

*PETITIONS.*

By Mr. Livermore, remonstrance of G. W. Logan and 30 others, citizens of the village of Jackson, against the incorporation of a bank to be located in Jackson. Referred to the committee on banks and incorporations.

Also, memorial of Abel F. Fitch and 26 others, citizens of Jackson county, for the passage of a proper and judicious militia law. Referred to the committee on the militia.

By Mr. Delamatter, remonstrance of Stephen W. Palms, and 31 others, citizens of Jackson county, against the incorporation of a bank in said county. Referred to the committee on banks and incorporations.

By Mr. Videto, a special remonstrance, (being a one dollar bill on the Merchants Bank of Jackson) against banks in general and more particularly against the incorporation of a bank in Jackson county. Referred to the committee on banks and incorporations.

By Mr. Haydon, a petition of 27 inhabitants of town 3, south of range 17 west, and town 3, south of range 18 west, asking to be set off and organized into a separate township under the name of Waterford. Referred to the committee on the organization of towns and counties.

By Mr. H. Hall, of Nathan Pierce, and 69 others, for the removal of the water station on the central railroad at Sylvan. Referred to the committee on internal improvement.

By Mr. R. D. Power, of George Steadman, and forty-five others, citizens of Livingston county in relation to fences. Referred to the committee on the judiciary.

Also, of Albert Crane, asking an amendment to an act in relation to certain actions in ejectment, approved Feb. 17, 1842, and for other purposes.

By Mr. Porter, of Nathan Pierce, and 25 others, citizens of Sylvan and Lima, for the removal of the water station at Sylvan. Referred to the committee on internal improvements.

#### REPORTS.

Mr. Schoolcraft, from the committee on federal relations, to whom have been referred various petitions for the passage of a law for the better protection of personal liberty, submitted a report, which was read, accepted and laid upon the table, and

On motion of Mr. Pratt, 500 copies were ordered printed.

On motion of Mr. Parmelee,

It was ordered that ten copies of the report, when printed, should be laid on the table of each member.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom have been referred sundry petitions, reported a "bill to organize certain townships, and for other purposes," which was read twice, referred to the committee of the whole and ordered printed.

Also, from the same committee, to whom had been referred sundry petitions of inhabitants of Monroe and Wayne counties, asking for a division of said counties, and the formation of a new county, reported adverse to the prayer of the petitions, for the reason that such division would leave the county of Wayne thirty-six miles long and only twelve miles wide, with the county site in the eastern part of the county.

The report was accepted and the committee discharged.

Mr. Rix, from the committee on militia, reported a "bill for the better organization of the militia," accompanied by a memorial signed by the officers of the military convention.

The memorial was read and laid upon the table, and the bill was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Porter, from the select committee appointed for that purpose, reported a "bill to prohibit the circulation of small bills," which was read twice, referred to the committee of the whole, and ordered printed.

Mr. M. Hall, from the select committee appointed for that purpose, reported a bill to amend an 'act to provide for the equitable settlement of the estate of deceased persons,' approved March 8, 1843," which was referred to the committee on the judiciary, and ordered printed.

Mr. Stone, from the select committee appointed for that purpose, reported a "bill to grant a right of pre-emption to Stephen J. Morse, and William M. Springer," which was read twice, referred to the committee of the whole and ordered printed.

Mr. Chester, from the select committee for that purpose, reported a "bill to repeal sections 3, 16, and 18, title 6, chapter 3, part 1st, of the revised statutes, relative to highway labor," which was read twice, referred to the committee of the whole, and ordered printed.

The following message was received from the Senate:

SENATE CHAMBER, }  
January 31, 1844. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit "a bill to provide for the punishment of bribery and corruption in certain cases," "a bill to change the name of the township of Canaan," also, "a bill to provide for consolidating and revising the general laws of the State of Michigan," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,  
*Secretary of Senate.*

The "bill to provide for the punishment of bribery and corruption

in certain cases," was read twice, and referred to the committee on elections.

The "bill to change the name of the township of Canaan," was read twice and referred to the committee on the organization of towns and counties.

The "bill to provide for consolidating and revising the general laws of the state of Michigan," was read twice and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. McLeod gave notice that at some future day he should ask leave to introduce the following bills:

A "bill to amend an act entitled 'an act to provide for the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners, and for other purposes.' "

A "bill to amend an act entitled an act to exempt certain property from execution, or sale for any debt, damages, fine or amercement."

A "bill to amend chapter 4, part 3, title 4, of the revised statutes."

Mr. Berry asked and obtained leave of absence for Mr. O. Miller for one day.

On motion of Mr. White,

*Resolved*, That the committee on the judiciary be required to inquire into the expediency of attaching Kent and Ottawa counties to the third supreme judicial district.

On motion of Mr. H. L. Miller,

*Resolved*, That the commissioner of the land office be instructed to report to this House whether the property known as the "Frederick Mill" property, in the county of Macomb, was appraised. If so, when: the amount of land included in the first appraisal; the names of the appraisers; the price at which the same was appraised; whether there was a second appraisal of the same property, or, if other property was included in the second appraisal, the quantity of land; if a second appraisal, when; the names of the appraisers; the price at which the same was appraised at the second time; whether the land was advertised by any description specifying the amount after each appraisal; and if advertised, the time and manner of advertising the same.

Mr. H. L. Miller moved to take from the table the joint resolution fixing the day of adjournment, which motion did not prevail.

On motion of Mr. Videto,

*Resolved*, That the committee on federal relations be requested to report to this House as soon as practicable, the propriety of providing for the distribution of the session laws of congress among the several towns of this state, provided there is no such law. If there is already such a law, the reason that said laws of congress have not been distributed.

Mr. Rix, on leave, presented the claim of sundry officers of a court martial, held pursuant to law. Referred to the committee on claims.

Mr. Shurtz gave notice, that at some future day he should ask leave to introduce a bill to remove certain restrictions in the practice of law.

On motion of Mr. Shurtz,

*Resolved*, That a select committee be appointed to examine into the affairs of the Erie and Kalamazoo railroad company, to ascertain whether said company have violated their charter, and if said company have violated their charter, into the expediency of repealing the same. And for purposes aforesaid, that said committee have power to send for persons and papers.

The Speaker announced as such select committee, Messrs. Shurtz, Stone, White, Porter, and Barnard.

The House then went into committee of the whole on the "bill to incorporate the Michigan railroad company, &c.," Mr. McLeod in the chair, and after a time spent thereon, the committee rose, and by their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

Mr. D. C. Walker moved to concur in the amendments in gross, with the exception of the amendments to the fourth and to the last sections, pending which

Mr. H. L. Miller moved to lay the motion to concur on the table, which motion was lost.

The question then recurring on the motion to concur, with exceptions,

Mr. Stone moved to amend the motion, by concurring in all the amendments, which motion prevailed by the following vote:



## YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Ruehle,
Ames,	Knight,	Runyan,
Chester,	Leland,	Sheldon,
Delamatter,	Livermore,	Shurtz,
Dunham,	McLeod,	Stone,
Fairfield,	H. L. Miller,	Videto,
Ferguson,	Mosher,	Vickery,
Griffin,	Murphy,	Van Husan.
H. Hall,	R. D. Power,	White,
M. Hall,	Porter,	

29

## NAYS.

Mr. Barnard,	Mr. Lamond,	Mr. Schoolcraft,
Baldwin,	Parmelee,	Snell,
Berry,	P. Power,	Tillson,
Davis,	Pratt,	D. C. Walker,
Hebard,	Rix,	H. N. Walker,
Joslin,	Rowland,	Speaker.
Knowlton,	Saunders,	

20

The question then being on concurring in the amendments in gross,

Mr. McLeod moved that Mr. Joslin be excused from voting, which motion was lost.

The amendments were then concurred in by yeas and nays as follows :

## YEAS.

Mr. Adams,	Mr. Knight,	Mr. Rowland,
Ames,	Knowlton,	Runyan,
Barnard,	Leland,	Saunders,
Baldwin,	McLeod,	Sheldon,
Berry,	H. L. Miller,	Shurtz,
Chester,	Mosher,	Snell,
Davis,	Murphy,	Stone,
Delamatter,	P. Power,	Tillson,
Dunham,	R. D. Power,	Videto,
Fairfield,	Porter,	Vickery,
Ferguson,	Pratt,	Van Husan,
Griffin,	Ramsdell,	D. C. Walker,
H. Hall,	Ruehle,	White,
M. Hall,	Rix,	Speaker,

42

## NAYS.

Mr. Blindbury,	Mr. Joslin,	Mr. Parmelee,
Hawley,	Lamond,	Schoolcraft,
Haydon,	Livermore,	H. N. Walker,
Hebard,		

10

Mr. Ramsdell moved that he have liberty to change his vote from the affirmative to the negative, which motion was lost.

Mr. Van Husan moved to amend section 4, by striking out the words "Lake Michigan," and inserting "village of Kalamazoo," and striking out the words "navigable waters of the St. Joseph river," and insert "village of Coldwater," which motion was decided in the negative.

Mr. Ruehle moved to lay the bill on the table, and that it be printed with the amendments.

Mr. Joslin called for a division of the question, and the question being on laying on the table, it was lost by the following vote :

## YEAS.

Mr. Ames,	Mr. Murphy,	Mr. Snell,	
Barnard,	Parmelee,	H. N. Walker,	
Chester,	Ruehle,	White,	
H. L. Miller,	Shurtz,	Speaker,	12

## NAYS.

Mr. Adams,	Mr. Hebard,	Mr. Ramsdell,	
Baldwin,	Joslin,	Rix,	
Berry,	Knight,	Rowland,	
Blindbury,	Knowlton,	Runyan,	
Davis,	Lamond,	Saunders,	
Delamatter,	Leland,	Schoolcraft,	
Dunham,	Livermore,	Sheldon,	
Fairfield,	McLeod,	Stone,	
Ferguson,	Mosher,	Tillson,	
Griffin,	P. Power,	Videto,	
H. Hall,	R. D. Power,	Vickery,	
M. Hall,	Porter,	Van Husen,	
Hawley,	Pratt,	D. C. Walker,	40
Haydon,			

Mr. Schoolcraft moved to indefinitely postpone the further consideration of the bill, pending which motion,

Mr. Pratt moved an adjournment, which was lost.

The question recurring on the motion to postpone indefinitely, it was lost by yeas and nays as follows :

## YEAS.

Mr. Delamatter,	Mr. Livermore,	Mr. Schoolcraft,	
M. Hall,	Murphy,	Sheldon,	
Hawley,	Parmelee,	Stone,	
Haydon,	Porter,	Videto,	
Knight,	Ramsdell,	Vickery,	
Leland,			16

## NAYS.

Mr. Adams,	Mr. H. Hall,	Mr. Rix,	
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Ames,	Hebard,	Rowland,
Barnard,	Joslin,	Runyan,
Baldwin,	Knowlton,	Saunders,
Berry,	Lamond,	Shurtz,
Blindbury,	McLeod,	Snell,
Chester,	H. L. Miller,	Tillson,
Davis,	Mosher,	Van Husan
Dunham,	P. Power,	D. C. Walker,
Fairfield,	R. D. Power,	H. N. Walker,
Ferguson,	Pratt,	White,
Griffin,	Ruehle,	Speaker. 36

Mr. Ramsdell moved to strike out all after the enacting clause ; pending which motion,

Mr. D. C. Walker moved to commit the bill to a select committee pending which,

Mr. Livermore moved to postpone till to-morrow ; pending which,

Mr. H. N. Walker moved to lay the bill on the table, which motion was lost.

The question recurring on the motion to postpone till to-morrow.

Mr. H. L. Miller moved to amend by postponing till the fourth day of July next, which amendment was accepted by the mover, of the original motion ; pending which,

On motion of Mr. Baldwin, the House adjourned.

#### *Afternoon Session.*

The House met pursuant to adjournment and on calling the roll, Mr. O. Miller was absent on leave, and Mr. R. D. Power, absent without leave.

Mr. Barnard asked and obtained leave of absence for Mr. R. D. Power, for the afternoon.

The House then resumed the consideration of the "bill to incorporate the Michigan Railroad Company," &c.

The question being on the motion to postpone till the 4th day of July next.

Mr. H. L. Miller withdrew the motion.

The question then recurred on the motion to postpone till to-morrow.

Mr. Livermore withdrew the motion.

The question recurring on the motion to commit the bill to a select committee,

Mr. D. C. Walker withdrew the motion.

Mr. Pratt moved to commit the bill to a select committee of nine.

Mr. D. C. Walker moved to amend the motion by adding that the bill be printed with the amendments, which amendment was accepted by the mover.

The question being on referring the bill, it prevailed by the following vote :

## YEAS.

Mr. Adams,	Mr. Hebard,	Mr. Runyan,
Ames,	Joslin,	Saunders,
Barnard,	Knowlton,	Schoolcraft,
Baldwin,	Lamond,	Shurtz,
Berry,	Leland,	Snell,
Blindbury,	McLeod,	Stone,
Chester,	H. L. Miller,	Tillson,
Davis,	Mosher,	Videto,
Dunham,	Parmelee,	Vickery,
Fairfield,	P. Power,	Van Huse,
Ferguson,	Pratt,	D. C. Walker,
Griffin,	Rix,	White,
H. Hall,	Rowland,	Speaker.
Hawley,		

40

## NAYS.

Mr. Delamatter,	Mr. Murphy,	Mr. Ruehle,
M. Hall,	Porter,	Sheldon.
Knight,	Ramsdell,	H. N. Walker.
Livermore,		

10

The Speaker announced as such committee Messrs. Pratt, D. C. Walker, Ramsdell, Hawley, Stone, Livermore, Shurtz, Barnard, and H. L. Miller.

On motion of Mr. McLeod, Mr. Ramsdell was excused from serving on the committee, and the Speaker appointed Mr. Joslin in his place.

Mr. Joslin asked to be excused from serving on the committee, and was so excused.

The Speaker then appointed Mr. M. Hall in the place of Mr. Joslin.

Mr. D. C. Walker moved to excuse Mr. Hawley, which motion prevailed, and Mr. Rowland was appointed in his place.

On motion of Mr. Baldwin,

Mr. Livermore was excused from serving on the committee, and Mr. Knight was appointed in his place.

On motion of Mr. Livermore,

Messrs. M. Hall and Knight were excused from acting on the committee, and Messrs. Vickery and Adams were appointed in their places.

Mr. Joslin moved that the "bill making appropriations on the central railroad," which was made the special order of the day for yesterday, be made the special order for to-morrow, which motion prevailed.

On motion of Mr. H. N. Walker, the "bill to establish a land office," &c., was taken from the table.

The question being on filling the blank before the word "dollars" in the 1st line of the tenth section.

Mr. Pratt moved to insert "six."

Mr. Knight moved to insert "eight."

Mr. Joslin moved to insert "eleven."

Mr. H. L. Miller moved to insert "twenty-five,"

Pending the question on filling the blank,

On motion of Mr. Joslin, the bill was laid on the table.

The House then went into the committee of the whole on the general order, Mr. Livermore in the chair, and after some time spent thereon the committee rose, and by their chairman reported that they had had under consideration a "bill to amend 'an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal, between the villages of Frederick and Rochester,'" and a "bill to attach the county of Huron to the county of St. Clair, and for other purposes," to which they had made amendments, in which the concurrence of the House was asked. The amendments to the first bill were concurred.

Mr. H. N. Walker moved to lay the bill to provide for the completion and preservation of the Clinton and Kalamazoo canal &c., on the table, which motion was lost.

Mr. Baldwin moved to strike out the first section, and insert the following, which motion was lost.

"That all after the word improvement in line nineteen of an act entitled 'an act to provide for the completion and preservation of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick,' approved March 1st, 1843, be stricken out."

Mr. Murphy moved to strike out the word "eighteen," in the 5th line of section 1, which motion was lost.

Mr. Stone moved to amend section 1, by striking out all between word "amended" in lines 3 and 4, and the word "by" in the 5th line and inserting in lieu thereof "and provided further that the whole amount for which contracts for the completion of said works may be let, shall not exceed the aggregate of the estimates, that may be made by a competent engineer," also to amend so as to add, at the end of the first section, and inserting after the word "auction" in line 13, "and so much of the amount which may be received on any lease which may be given of said works, not exceeding one thousand dollars," pending which

Mr. Schoolcraft moved the previous question, which was not sustained.

On motion of Mr. Berry, the House adjourned.

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*Friday, February 2, 1844.*

The House met pursuant to adjournment, and on calling the roll, Mr. O. Miller was absent on leave.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Delamatter, of Mr. H. L. Mead and 40 others, residents of Genesee and Livingston counties, for an act of incorporation for the Alphadelphia association. Referred to the committee on banks and incorporations.

By Mr. Livermore, of a large number of the German residents of the valley of Grand River, in Clinton county, for the improvement of said river. Referred to the select committee on that subject.

By Mr. Lamond, a remonstrance of 75 citizens of the town of Genesee against appropriating the non-resident tax upon the Saginaw turnpike. Referred to the committee on roads and bridges.

By Mr. Pratt, the petition of sundry citizens of Wayne county, for an act of incorporation for the Detroit and Birmingham plank road company. Laid on the table.

Also, of 40 citizens of Oakland county, for the incorporation of the "Alphadelphia association" in Michigan. Referred to the committee on banks and incorporations.

By Mr. Fairfield, of Amos Holmes, and thirty others, for the in-

corporation of a company to construct a turnpike road from the east bridge across the River Raisin in the town of Blissfield, to the south line of this state. Referred to the committee on banks and incorporations.

By Mr. Chester, of J. N. Miner, and others, for the location of a state road from the village of Hillsdale to the Indiana state line. Referred to the committee on roads and bridges.

By Mr. Haydon, of 100 citizens of Van Buren county, for appropriations on the central railroad. Laid on the table.

Also, of 75 citizens of Van Buren county, for a revision or modification of existing tax laws. Referred to the committee on ways and means.

By Mr. Davis, of 44 inhabitants of Oakland county, for the incorporation of a company to build a plank road from Detroit to Birmingham. Laid on the table.

By Mr. Hebard, of citizens of Lapeer county, for the annexation of the county of Tuscola to the county of Lapeer, for judicial and other purposes. Laid on the table.

By Mr. McLeod, of 70 inhabitants of Wayne county, asking that this legislature may take some action to obtain an alteration of the constitution of the United States. Referred to a select committee, consisting of Messrs. McLeod, Baldwin, Stone, Fairfield and Parmelee.

#### REPORTS.

Mr. Fairfield, from the committee on elections, to whom was referred the Senate "bill to provide for the punishment of bribery and corruption in certain cases," reported the same back with an amendment and recommended its passage.

The report was accepted and the bill referred to the committee of the whole.

Mr. D. C. Walker, from the committee on ways and means, to whom was referred the petition of sundry persons, asking an appropriation of 75,000 acres of the public lands for the further construction of the southern railroad, with instructions to report whether any of the works of internal improvement can be extended without involving the state still further in debt; made a report, which was read, accepted, laid on the table, and

On motion of Mr. Hawley, 500 copies of the report were ordered to be printed.

Mr. Schoolcraft made the following report, which was accepted and the committee discharged.

The committee on federal relations, to whom was referred the following resolution, to wit:

*Resolved*, That the committee on federal relations be requested to report to the House, as soon as practicable, the propriety of providing by law for the distribution of the session laws of congress, among the several towns of this state, provided there is no such law: if there is already such a law, the reason that said laws of congress have not been distributed; ask leave to report:

That they called upon the secretary of state with a view of learning what number of the "session laws of congress" were forwarded to the state department, and they were informed, that from three to six copies were received annually, and that those copies were required for the state library, and the various departments of state. It therefore, became unnecessary for your committee to report to this House upon "the propriety of providing by law for the distribution of the session laws of congress among the several towns of this state," or to ascertain whether such a law did already exist, for the simple reason, that the state had no session laws of congress to distribute.

Your committee therefore ask to be discharged from the further consideration of the resolution.

Mr. Baldwin, from the committee on the organization of towns and counties, reported a "bill to organize a certain township," which was read twice, referred to the committee of the whole and ordered printed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ramsdell asked and obtained leave of absence for one day for Mr. R. D. Power.

Mr. Berry for Mr. O. Miller, for the same time.

Mr. McLeod, in pursuance of previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to provide for the issuing and return of venires, the payment of jurors, the appointment of circuit court commissioners, and for other purposes," a "bill to amend an act entitled an act to exempt certain property from execution or sale, for any debt, damages, fine or amercement, approved February 16, 1842," and a bill "to amend chapter 4, part 3, title 4, of the revised statutes," and Messrs. McLeod, Sheldon, and Barnard, were appointed a committee to bring in the bill.



On motion of Mr. Fairfield,

*Resolved*, That the select committee appointed to inquire into the affairs of the Erie and Kalamazoo railroad company, be instructed to notify the president and secretary of said company of the time and place of the meeting of said committee, and that they can appear before said committee, and present any facts which they may deem necessary.

On motion of Mr. Pratt,

*Resolved*, That the committee on internal improvement be instructed to report to this House, a joint resolution, requiring the commissioner of internal improvement to expend on the Clinton and Kalamazoo canal all appropriations heretofore made, on such terms as he may deem most beneficial to the state.

The House then took up the unfinished business, being the "bill to amend an act to provide for the preservation and completion of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick."

The question being on the amendment offered yesterday by Mr. Stone,

Mr. Pratt moved to amend the amendment by striking out "one thousand," and inserting "two thousand," which amendment was accepted by the mover of the original amendment.

After some discussion, the amendment was withdrawn by Mr. Stone who offered the following as a substitute for section 1 :

Section 1. Be it enacted by the Senate and House of Representatives of the state of Michigan, That section one of an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal, between the villages of Rochester and Frederick, approved March 21, 1843, be amended by striking out all after the word improvement in line 19, and inserting in lieu thereof, "and provided further, that the whole amount for which said contracts for the completion of said works may be let, shall not exceed the aggregate of the estimates that may be made by a competent engineer."

Also, amend section 2, of said act, by adding at the end thereof, "and apply two thousand dollars thereof, in payment for the contracts for the completion of said works."

Mr. Rowland moved the previous question which was sustained.

The question being on the adoption of the substitute, it was adopted by yeas and nays as follows ;

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Knowlton,  
Lamond,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Saulders,  
Sheldon,  
Shurtz,  
Stone,

26

## NAYS.

Mr. Delematter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Schoolcraft,

Mr. Snell,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
White,  
Speaker,

25

The bill was ordered to be engrossed for a third reading by the following vote:

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Davis,  
Delematter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,

Mr. Hawley,  
Joslin,  
Knowlton,  
Lamond,  
Livermore,  
McLeod,  
H. L. Miller,  
Mosher,  
Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Pratt,  
Ramsdell,

Mr. Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Sheldon,  
Shurtz,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
White,  
Speaker,

42

## NAYS.

Mr. Blindbury,  
Haydon,  
Hebard,

Mr. Knight,  
Leland,  
Porter,

Mr. Ruehle,  
Rix,  
Snell,

9

The House then took up the bill to attach the county of Huron to the county of St. Clair, and the question being on concurring in the amendment made in committee of the whole striking out the first section, it was concurred in by the following vote:

## YEAS.

Mr. Ames,	Mr. Knowlton,	Mr. Runyan,
Baldwin,	Lamond,	Saunders,
Berry,	Livermore,	Schoolcraft,
Blindbury,	H. L. Miller,	Shurtz,
Chester,	P. Power,	Snell,
Davis,	Pratt,	Stone,
Dunham,	Ramsdell,	Tillson,
Fairfield,	Ruehle,	Videto,
H. Hall,	Rix,	D. C. Walker,
Joslin,	Rowland,	Speaker,

30

## NAYS.

Mr. Adams,	Mr. Haydon,	Mr. Parmelee,
Barnard	Hebard,	R. D. Power,
Delamatter,	Knight,	Porter,
Ferguson,	Leland,	Vickery,
Griffin,	McLeod,	Van Husan,
Hawley,	Mosher,	White,

18

The amendments striking out the second, third and fourth sections, were severally concurred in, and

On motion of Mr. McLeod, the enacting clause was indefinitely postponed.

The following communication was received from the executive :

EXECUTIVE OFFICE, }  
 Detroit, January 29, 1844. }

*To the House of Representatives:*

SIR—I have this day approved, signed and deposited in the office of the secretary of state a preamble and joint resolution relative to constructing a ship canal around the falls of St. Mary's river at the Saut de St. Mary.

JOHN S. BARRY.

On motion of Mr. Leland the House adjourned.

*Afternoon Session.*

*February 2, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. O. Miller and R. D. Power were absent on leave, and Mr. H. N. Walker absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. H. N. Walker for this afternoon.

The House then went into committee of the whole on the special order for the day, being the "bill making appropriations on the central

railroad," Mr. Rowland in the chair, and after a short time spent thereon, the committee rose and reported the bill back to the House without amendment.

Mr. Baldwin moved to strike out all after the enacting clause, pending which,

Mr. D. C. Walker moved to lay the bill on the table, which motion was lost by yeas and nays, as follows:

## YEAS.

Mr. Delamatter,	Mr. Parmelee,	Mr. Tillson,
H. Hall,	P. Power,	Videto,
M. Hall,	Porter,	Vickery,
Hawley,	Ramsdell,	Van Huse,
Haydon,	Ruehle,	D. C. Walker,
Joslin,	Saunders,	White,
Knight,	Sheldon,	Speaker.
Livermore,	Snell,	

23

## NAYS.

Mr. Adams,	Mr. Fairfield,	Mr. Murphy,
Ames,	Ferguson,	Pratt,
Baldwin,	Griffin,	Rix,
Barnard,	Hebard,	Rowland,
Berry,	Knowlton,	Runyan,
Blindbury,	Lamond,	Schoolcraft,
Chester,	McLeod,	Shurtz,
Davis,	H. L. Miller,	Stone,
Dunham,	Mosher,	

26

Mr. Fairfield moved the indefinite postponement of the bill, and then called the previous question, which was not sustained.

Pending the motion for indefinite postponement,

On motion of Mr. Fairfield, the House adjourned.

*Saturday, February 3, 1844.*

The House met pursuant to adjournment, and on calling the roll, the members were all present.

The journal of yesterday was read and approved.

## PETITIONS.

By Mr. Schoolcraft, the claim of Sheldon McKnight. Referred to the committee on claims.

By Mr. Parmelee, of Amos D. Dunning, and 22 other citizens of Watson, Allegan county, for the change of the name of said town-

ship. Referred to the committee on the organization of towns and counties.

By Mr. M. Hall, of 63 citizens of Battle Creek, for an appropriation of certain non-resident highway taxes on the road from Battle Creek to Grand Rapids. Referred to a select committee; consisting of Messrs. M. Hall, Parmalee and White.

By Mr. Snell, three petitions of 76 inhabitants of the townships of Royal Oak, Troy and Avon, in the county of Oakland, for the incorporation of a company to construct a plank road from Royal Oak to the village of Rochester. Referred to a select committee, consisting of Messrs. Snell, Dunham, and Hebard.

By Mr. Ramsdell, of Paul Minnis, and others, of the village of Ann Arbor, praying that school district No. 11, be authorized to raise by tax the sum of \$3,000 to purchase or erect suitable buildings for the accommodation of said district. Referred to the committee on education.

By Mr. Blindbury, of 67 inhabitants of Michigan, for the repair of the Grand River road by appropriating lands for that purpose.—Referred to the select committee on that subject.

By Mr. Ames, two petitions of 144 inhabitants of this state for the abolition of the present militia system, and the enactment of a new law, or the alteration of the present law, so as to encourage the organization of uniform companies. Laid on the table.

By Mr. Livermore, of Heber Cowden, and 42 others, citizens, of this state, relative to the militia law. Laid on the table.

By Mr. Adams, the remonstrance of sundry inhabitants of the township of Batavia, in Branch county, against appropriating non-resident highway taxes of said township on a certain state road. Referred to the committee on roads and bridges.

#### REPORTS.

Mr. Joslin, from the committee on internal improvement, reported a joint resolution, relative to the completion and preservation of the Clinton and Kalamazoo canal, which was read twice, referred to the committee of the whole and ordered printed.

Also, made the following report which was accepted and the committee discharged:

The committee on internal improvement have had under consid-

ration the petition of sundry persons asking for the removal of the rail road water station in Lima, Washtenaw county, one and a half mile east, and ask leave to report adversely to the prayer of the petitioners,

For the following reasons, to wit: after the change the distance east to a station would be only 8½ miles, while the distance west 10½ miles, that it would cost the state \$2000 to move the station, and would cost only about \$100 to make a good road to the present water station.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed the bill to amend an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom was referred the Senate "bill to change the name of the township of Canaan," reported the same back without amendment and recommended its passage.

The bill was referred to the committee of the whole.

Mr. McLeod, from the select committee appointed for that purpose, reported a "bill to amend title 4, part 3, chapter 4, of the revised statutes, relative to reversal and arrest of judgments," which was read twice, referred to the judiciary committee, and ordered to be printed.

#### MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Tillson moved to reconsider the vote by which the "bill to amend an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick," was ordered to be engrossed for a third reading, and the motion prevailed by the following vote:

#### YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Leland,  
Livermore,

Mr. McLeod,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Schoolcraft,  
Sheldon,

Mr. Snell,  
Tillson,  
Videto,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker, 27

## NAYS,

Mr. Adams,	Mr. Dunham,	Mr. Murphy,
Ames,	Fairfield,	R. D. Power,
Barnard,	Ferguson,	Pratt,
Baldwin,	Griffin,	Rowland,
Berry,	Lamond,	Runyan,
Blindbury,	O. Miller,	Saunders,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Stone,
		24

Mr. P. Power moved a reconsideration of the vote by which the substitute for section one was adopted.

Mr. Pratt moved to lay the motion on the table, which motion was lost by yeas and nays as follows :

## YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. Pratt,
Ames,	Ferguson,	Rowland,
Barnard,	Griffin,	Runyan,
Baldwin,	Lamond,	Saunders,
Berry,	O. Miller,	Shurtz,
Blindbury,	H. L. Miller,	Snell,
Chester,	Mosher,	Stone,
Davis,	Murphy,	Van Huse,
Dunham,	R. D. Power,	
		26

## NAYS.

Mr. Delamatter,	Mr. Livermore,	Mr. Sheldon,
H. Hall,	McLeod,	Tillson,
M. Hall,	Parmelee,	Videto,
Hawley,	P. Power,	Vickery,
Haydon,	Porter,	D. C. Walker,
Hebard,	Ramsdell,	H. N. Walker,
Joslin,	Ruehle,	White,
Knight,	Rix,	Speaker,
Leland,	Schoolcraft,	
		26

Mr. Pratt moved a call of the House, which did not prevail.

Mr. Pratt moved that the motion to reconsider be postponed till Monday next, which motion was lost by the following vote :

## YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. Murphy,
Ames,	Ferguson,	R. D. Power,
Barnard,	Griffin,	Pratt,
Baldwin,	Knowlton,	Rowland,
Berry,	Lamond,	Runyan,
Blindbury,	O. Miller,	Saunders,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Stone,
Dunham,		
		25

## NAYS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Leland,  
Livermore,

Mr. McLeod,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Schoolcraft,  
Sheldon,

Mr. Snell,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

28

Mr. Baldwin moved that the House adjourn.

Mr. H. L. Miller moved to amend the motion by adjourning till Monday next, which did not prevail.

The question recurring on the motion to adjourn, it was lost by yeas and nays as follows :

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindburry,  
Chester,

Mr. Davis,  
Dunham,  
Fairfield,  
Fergusou,  
Griffin,  
Knowlton,  
Lamond,

Mr. O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
Prait,  
Saunders,  
Shurtz,

21

## NAYS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Leland,  
Livermore,  
McLeod,

Mr. Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,  
Runyan,  
Schoolcraft,  
Sheldon,

Mr. Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

32

The question then being on the motion to reconsider the vote by which the substitute for section one was adopted, the motion prevailed by the following vote :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,

Mr. McLeod,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,

Mr. Snell,  
Tillson,  
Videto,  
Vickery,  
Van Husan,



Hebard,  
Joslin,  
Knight,  
Leland,  
Livermore,

Ruehle,  
Rix.  
Schoolcraft,  
Sheldon,

D. C. Walker,  
H. N. Walker.  
White,  
Speaker,

28

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,

Mr. Murphy,  
R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Saunders,  
Shurtz,  
Stone,

25

On motion of Mr. D. C. Walker, the whole subject was laid on the table.

Mr. Ramsdell moved to report back without action a resolution referred to the judiciary committee, instructing the committee to examine the provisions of a bill for the payment of jurors and other purposes, and to compare them with existing laws, and so amend said bill as to repeal existing enactments conflicting with the provisions, and that the bill be recommitted with the further instructions so to amend said bill as to provide for the payment of jurors in cases of forcible entry and detainer, and cases of forcible detainer or any unlawful holding of lands or tenements; which motion prevailed.

Mr. Baldwin offered the following resolution :

*Resolved*, That after this day, this House will commence its morning session at half past nine o'clock, A. M.

Mr. Joslin moved to lay it on the table which motion was lost.

Mr. McLeod moved to amend by striking out "half past nine," and inserting "ten," which did not prevail.

The question then being on the adoption of the resolution, it was adopted.

On motion of Mr. Parmelee,

*Resolved*, That when this House adjourn, it will adjourn until ten o'clock A. M. on Monday morning.

On motion of Mr. Lamond,

*Resolved*, For the purpose of making such improvements in the vicinity of state lands as will encourage settlers to purchase said lands, that the committee on internal improvements be in-

structed to inquire into the expediency of appropriating 5000 acres of state lands for the purpose of removing the flood wood from the Flint River between the village of Flint and the Saginaw river.

Mr. Joslin moved to take up the resolution fixing the day of adjournment, which motion was lost.

A communication was received from the commissioner of the land office, in reply to a resolution adopted on the 1st inst. making inquiries relative to the sale of the Frederick mills property.

On motion of Mr. McLeod, the report was laid on the table and ordered to be printed.

The House then took up the unfinished business, being the bill making appropriations on the Central railroad, and the question being on the indefinite postponement of the bill,

Mr. D. C. Walker moved an adjournment which was lost by yeas and nays as follows :

## YAES.

Mr. Delematter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,

Mr. Rix,  
Tillson,  
Videto,  
Vickery,  
D. C. Walker,  
White,

19

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,

Mr. Hebard,  
Knight,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,  
R. D. Power,  
Pratt,

Mr. Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Van Husan,  
H. N. Walker,  
Speaker,

34

Mr. Rowland moved the previous question which was sustained and the question being on ordering the main question to be now put, it prevailed by the following vote :

## YEAS.

Mr. Adams,  
Ames,

Mr. Griffin,  
Hebard,

Mr. R. D. Power,  
Pratt,

Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Dunham,  
Fairfield,  
Ferguson,

Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Shurtz,  
Snell,  
Stone,

28

## NAYS.

Mr. Delematter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

24

Mr. McLeod moved that the House adjourn, which motion was lost as follows :

## YEAS.

Mr. Delematter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,  
Livermore,

Mr. McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Saunders,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

25

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,

Mr. P. Power,  
R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Schoolcraft,  
Shurtz,  
Snell,  
Stone,

28

Mr. Ramsdell moved to lay the bill on the table.

The Speaker decided that a motion to lay on the table, when the subject is under the previous question, is not in order.

Mr. Ramsdell appealed from the decision, and rose to address the Speaker.

Mr. Schoolcraft called him to order.

The Speaker decided that the question, on an appeal, was debatable.

Mr. H. L. Miller appealed from the decision of the Speaker.

Mr. Fairfield moved the previous question on the appeal.

Mr. D. C. Walker moved an adjournment, which was lost by yeas and nays, as follows :

#### YEAS.

Mr. Delamatter,	Mr. Livermore,	Mr. Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmalee,	Vickery,
Hawley,	Porter,	Van Husan,
Haydon,	Ramsdell,	D. C. Walker,
Joslin,	Ruehle,	H. N. Walker,
Knight,	Rix,	White,
Leland,	Sheldon,	Speaker. 24

#### NAYS

Mr. Adams,	Mr. Ferguson,	Mr. R. D. Power,
Ames,	Griffin,	Pratt,
Barnard,	Hobard,	Rowland,
Baldwin,	Knowlton,	Runyan,
Berry,	Lamond,	Saunders,
Blindbury,	O. Miller,	Schoolcraft,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone. 29
Fairfield,	P. Power,	

The question then recurring on the previous question on the appeal, the Speaker decided that it was not debatable, when

Mr. D. C. Walker moved an adjournment, which was lost by the following vote :

#### YEAS.

Mr. Delamatter,	Mr. Livermore,	Mr. Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmalee,	Vickery,
Hawley,	Porter,	Van Husan,
Haydon,	Ramsdell,	D. C. Walker,
Joslin,	Ruehle,	H. N. Walker,
Knight,	Rix,	White,
Leland,	Sheldon,	Speaker. 24

#### NAYS.

Mr. Adams,	Mr. Ferguson,	Mr. R. D. Power,
Ames,	Griffin,	Pratt,

Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Shurtz,  
Snell,  
Stone.

29

The previous question was then sustained by yeas and nays as follows :

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Schoolcraft,  
Shurtz,  
Snell.  
Stone,  
Speaker, 29

## NAYS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Livermore,

Mr. Leland,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Sheldon,

Mr. Saunders,  
Tillson,  
Videto,  
Vickery,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White, 24

Mr. D. C. Walker moved an adjournment, which was lost by the following vote :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker, 24

## NAYS.

Mr. Adams,  
Ames,  
Barnard,

Mr. Ferguson,  
Griffin,  
Hebard,

Mr. R. D. Power,  
Pratt,  
Rowland,

Baldwin,	Knowlton,	Runyan,
Berry,	Lamond,	Saunders,
Blindbury,	O. Miller,	Schoolcraft,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
Fairfield,	P. Power,	

29

The question then being on ordering the main question to be now put, it prevailed as follows:

## YEAS.

Mr. Adams,	Mr. Griffin,	Mr. P. Power,
Ames,	H. Hall,	R. D. Power,
Barnard,	Hawley,	Pratt,
Baldwin,	Haydon,	Rowland,
Berry,	Hebard,	Runyan,
Blindburg,	Knowlton,	Saunders,
Chester,	Lamond,	Sheldon,
Davis,	O. Miller,	Shurtz,
Dunham,	H. L. Miller,	Snell,
Fairfield,	Mosher,	Stone,
Ferguson,	Parmelee,	Speaker

33

## NAYS.

Mr. Delamatter,	Mr. McLeod,	Mr. Videto,
M. Hall,	Porter,	Vickery,
Joslin,	Ramsdell,	Van Husan,
Knight,	Ruehle,	D. C. Walker,
Leland,	Schoolcraft,	H. N. Walker,
Livermore,	Tillson,	White,

18

Mr. Porter moved that the House adjourn, which motion was lost by the following vote :

## YEAS.

Mr. Delamatter,	Mr. Livermore,	Mr. Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmelee,	Vickery,
Hawley,	Porter,	Van Husan,
Haydon,	Ramsdell,	D. C. Walker,
Joslin,	Ruehle,	H. N. Walker,
Knight,	Rix,	White,
Leland,	Sheldon,	Speaker.

24

## NAYS.

Mr. Adams,	Mr. Ferguson,	Mr. R. D. Power,
Ames,	Griffin,	Pratt,
Barnard,	Hebard,	Rowland,
Baldwin,	Knowlton,	Runyan,

Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Saunders,  
Schoolcraft,  
Shurtz,  
Snell,  
Stone,

29

The main question being the question on the appeal from the decision of the Speaker, was then taken, when the decision was reversed by the following vote :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ruehle,  
Rix,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Husan  
D. C. Walker,  
H. N. Walker,  
White,

22

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Pratt,  
Ramsdell,  
Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Shurtz,  
Snell,  
Stone,

30

Mr. Ramsdell moved an adjournment, which was lost by yeas and nays, as follows :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

M. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Husen,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

24

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,

Mr. Ferguson,  
Griffin,  
Hebard,  
Knowlton,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,

23

Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Saunders,  
Schoolcraft,  
Shurtz,  
Snell,  
Stone,

29

Mr. H. N. Walker moved to lay the bill on the table, which was lost, by yeas and nays, as follows :

## YEAS.

Mr. H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ruehle,  
Rix,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Hulan,  
D. C. Walker,  
H. N. Walker,  
White,

21

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Shurtz,  
Snell,  
Stone,  
Speaker,

31

Mr. D. C. Walker moved an adjournment, which was lost, by the following vote :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Hulan,  
H. N. Walker,  
White,  
Speaker,

23

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,

Mr. Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Schoolcraft,  
Shurtz,



Chester,	H. L. Miller,	Snell,
Davis,	Mosher,	Stone,
Dunham,	Murphy,	D. C. Walker,
Fairfield,	P. Power,	29

Mr. D. C. Walker moved to reconsider the vote by which the House refused to adjourn.

Mr. H. N. Walker raised a point of order, when

The Speaker decided the motion to reconsider the vote refusing to adjourn, to be in order.

Mr. H. N. Walker appealed from the decision of the Speaker, when the decision was sustained by the following vote:

## YEAS.

Mr. Ames,	Mr. Knowlton,	Mr. Rix,
Barnard,	Lamond,	Rowland,
Baldwin,	Leland,	Runyan,
Davis,	Livermore,	Saunders,
Delamatter,	McLeod,	Schoolcraft,
Dunham,	H. L. Miller,	Sheldon,
Griffin,	Mosher,	Shurtz,
H. Hall,	Murphy,	Stone,
M. Hall,	Parmelee,	Tillson,
Hawley,	R. D. Power,	Videto,
Haydon,	Porter,	Vickery,
Hebard,	Pratt,	Van Husan,
Joslin,	Ramsdell,	D. C. Walker,
Knight,	Ruehle,	White,
		42

## NAYS.

Mr. Adams,	Mr. Fairfield,	Mr. P. Power,
Berry,	Ferguson,	Snell,
Blindbury,	O. Miller,	H. N. Walker,
Chester,		10

The question recurring on the motion to reconsider the vote on adjourning, it was lost by yeas and nays, as follows:

## YEAS.

Mr. Delamatter,	Mr. Livermore,	Mr. Tillson,
H. Hall,	McLeod,	Videto, [
M. Hall,	Parmelee,	Vickery,
Hawley,	Porter,	Van Husan,
Haydon,	Ramsdell,	D. C. Walker,
Joslin,	Ruehle,	H. N. Walker,
Knight,	Rix,	White,
Leland,	Sheldon,	23

## NAYS.

Mr. Adams,	Mr. Ferguson,	Mr. R. D. Power,
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Ames,	Griffin,	Pratt,
Barnard,	Hebard,	Rowland,
Baldwin,	Knowlton,	Runyan,
Berry,	Lamond,	Saunders,
Blindbury,	O. Miller,	Schoolcraft,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
Fairfield,	P. Power,	Speaker, 30

Mr. Ramsdell moved to reconsider the vote by which the decision of the Speaker was reversed; which motion was lost, by the following vote:

## YEAS.

Mr. Delamatter,	Mr. Livermore,	Mr. Sheldon,
H. Hall,	McLeod,	Tillson,
M. Hall,	Parmelee,	Videto,
Hawley,	Porter,	Vickery,
Haydon,	Ramsdell,	Van Husan,
Joslin,	Ruehle,	D. C. Walker,
Knight,	Rix,	H. N. Walker,
Leland,	Schoolcraft,	White, 24

## NAYS.

Mr. Adams,	Mr. Ferguson,	Mr. P. Power,
Ames,	Griffin,	R. D. Power,
Barnard,	Hebard,	Pratt,
Baldwin,	Knowlton,	Rowland,
Berry,	Lamond,	Runyan,
Blindbury,	O. Miller,	Saunders,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
Fairfield,		28

Mr. Schoolcraft moved an adjournment.

Mr. McLeod sent up the following, as a point of order:

"It is not in order to renew a motion, when such motion has been once put, and the House have refused to reconsider."

The Speaker decided that the motion to adjourn, being a privileged question, was in order, even though the House had refused to reconsider a former vote on adjourning.

Mr. McLeod appealed from the decision of the Chair, when the decision was affirmed, by the following vote:

## YEAS.

Mr. Ames,	Mr. Joslin,	Mr. Runyan,
Baldwin,	Knight,	Saunders,

Blindbury,	Leland,	Sheldon,
Delematter,	Livermore,	Shurtz,
Dunham,	H. L. Miller,	Snell,
Ferguson,	Murphy,	Stone,
H. Hall,	Porter,	Tillson,
M. Hall,	Pratt,	Videto,
Hawley,	Ruehle,	Van Husan,
Haydon,	Rix,	D. C. Walker,
Hebard,	Rowland,	White,

33

## NAYS.

Mr. Adams,	Mr. Griffin,	Mr. P. Power,
Barnard,	Knowlton,	R. D. Power,
Berry,	Lamond,	Ramsdell,
Chester,	McLeod,	Schoolcraft,
Davis,	O. Miller,	Vickery,
Fairfield,	Mosher,	H. N. Walker,

Mr. Schoolcraft then withdrew the motion to adjourn.

Mr. D. C. Walker moved that the House adjourn, which motion was lost by yeas and nays as follows :

## YEAS.

Mr. Delematter,	Mr. Livermore,	Mr. Sheldon,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmalee,	Van Husan,
Hawley,	Porter,	D. C. Walker,
Haydon,	Ramsdell,	H. N. Walker,
Joslin,	Ruehle,	White,
Knight,	Rix,	Speaker,
Leland,		

22

## NAYS.

Mr. Adams,	Mr. Ferguson,	Mr. R. D. Power,
Ames,	Griffin,	Pratt,
Barnard,	Hebard,	Runyan,
Baldwin,	Knowlton,	Saunders,
Berry,	Lamond,	Schoolcraft,
Blindbury,	O. Miller,	Shurtz,
Chester,	H. L. Miller	Snell,
Davis,	Mosher,	Stone,
Dunham,	Murphy,	Tillson,
Fairfield,	P. Power,	Vickery,

30

Mr. Tillson moved to reconsider the vote by which the House refused to adjourn, which motion was negatived by the following vote :

## YEAS.

Mr. Delematter,	Mr. McLeod,	Mr. Tillson,
H. Hall,	Parmalee,	Videto,
M. Hall,	Porter,	Vickery,

Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,  
Livermore,

Ramsdell,  
Ruehle,  
Rix,  
Saunders,  
Sheldon,

Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Spunker.

25

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,

Mr. Murphy,  
P. Power,  
R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Shurtz,  
Snell,  
Stone,

27

Mr. Ramsdell moved an adjournment.

The Speaker decided the motion to be out of order.

Mr. Ramsdell appealed from the decision of the chair, when the decision was sustained by the following vote :

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Delematter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,

Mr. Hebard,  
Joslin,  
Knight,  
Knowlton,  
Lamond,  
Livermore,  
McLeod,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,

Mr. Pratt,  
Ramsdell,  
Ruehle,  
Rix,  
Runyan,  
Saunders,  
Schoolcraft,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Videto,  
Van Husan,  
D. C. Walker,  
White,

46

## NAYS.

Mr. Haydon,  
Tillson,

Mr. Vickery,

Mr. H. N. Walker,

4

Mr. Vickery moved an adjournment,

Mr. McLeod called him to order.

The Speaker decided that as business had intervened since the last motion to adjourn was decided, the motion was in order,

Mr. McLeod appealed from the decision of the Speaker, when the decision was reversed by the following vote :

## YEAS.

Mr. Delematter,  
Dunham,  
H. Hall,  
M. Hall,  
Hawloy,  
Hayden,  
Joslin,

Mr. Knight,  
Livermore,  
Parmelee,  
Porter,  
Pratt,  
Rix,

Mr. Sheldon,  
Tillson,  
Videto,  
Van Husan,  
D. C. Walker,  
White,

19

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Fairfield,  
Ferguson,  
Griffin,

Mr. Hebard,  
Knowlton,  
Lamond,  
McLeod,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,  
R. D. Power,

Mr. Ramsdell,  
Rowland,  
Runyan,  
Saunders,  
Schoolcraft,  
Shurtz,  
Snell,  
Stone,  
Vickery,  
H. N. Walker,

31

Mr. Ramsdell moved a reconsideration of the vote by which the decision of the chair was reversed, which motion was lost by the following vote :

## YEAS.

Mr. Delematter,  
H. Hall,  
M. Hall,  
Hawely,  
Haydon,  
Knight,  
Livermore,

Mr. Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Schoolcraft,  
Sheldon,

Mr. Tillson,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

20

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,  
Ferguson,

Mr. Griffin,  
Hebard,  
Joslin,  
Knowlton,  
Lamond,  
McLeod,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Mr. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
Videto,  
Vickery,

32

The question then recurring on the decision of the Speaker that the motion to lay on the table was not debatable, the decision of the chair was sustained by yeas and nays as follows :

## YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Runyan,
Ames,	Knight,	Saunders,
Barnard,	Knowlton,	Schoolcraft,
Baldwin,	Lamond,	Sheldon,
Berry,	McLeod,	Shurtz,
Blindbury,	O. Miller,	Snell,
Chester,	H. L. Miller,	Stone,
Davis,	Mosher,	Tillson,
Delamatter,	Murphy,	Videto,
Dunham,	P. Power,	Vickery,
Fairfield,	R. D. Power,	Van Husan,
Ferguson,	Pratt,	D. C. Walker,
Griffin,	Ramsdell,	H. N. Walker,
M. Hall,	Rix,	White,
Hebard,	Rowland,	

44

## NAYS.

Mr. H. Hall,	Mr. Livermore,	Mr. Porter,
Hawley,	Parmelee,	Rushle,
Haydon,		

7

Mr. McLeod moved to suspend the 27th rule.

The Speaker decided the motion to be out of order.

Mr. Ramsdell appealed from that decision when the decision was affirmed by the following vote :

## YEAS.

Mr. Adams,	Mr. Hebard,	Mr. Rowland,
Ames,	Knowlton,	Runyan,
Barnard,	Lamond,	Saunders,
Baldwin,	O. Miller,	Sheldon,
Berry;	H. L. Miller,	Shurtz,
Blindbury,	Mosher,	Snell,
Chester,	Murphy,	Stone,
Davis,	P. Power,	Videto,
Dunham,	R. D. Power,	Van Husan,
Fairfield,	Pratt,	D. C. Walker,
Ferguson,	Ramsdell,	White,
Griffin,		

34

## NAYS.

Mr. Delamatter,	Mr. Hawley,	Mr. Parmelee,
H. Hall,	Haydon,	Rix,
M. Hall,	McLeod,	Vickery.

9

Mr. Ramsdell moved a reconsideration of the vote by which the last decision of the Speaker was sustained.

Mr. Joslin moved to lay the motion to reconsider on the table.

Mr. Barnard raised a point of order.

The Speaker decided the motion to be in order.

Mr. Barnard appealed from the decision of the Speaker, when the decision was reversed by the following vote :

## YEAS.

Mr. Delamatter,	Mr. Parmelee,	Mr. Van Husan,
H. Hall,	Porter,	D. C. Walker,
M. Hall,	Ruehle,	H. N. Walker,
Hawley,	Rix,	White,
Haydon,	Videto,	

14

## NAYS.

Mr. Adams,	Mr. Griffin,	Mr. R. D. Power,
Ames,	Hebard,	Pratt,
Barnard,	Knowlton,	Rowland,
Baldwin,	Lamond,	Runyan,
Berry,	McLeod,	Saunders,
Davis,	O. Miller,	Sheldon,
Dunham,	H. L. Miller,	Shurtz,
Fairfield,	Murphy,	Snell,
Ferguson,	P. Power,	Stone,

27

The question then being on Mr. Ramsdell's motion to reconsider, it was lost.

The question then recurred on the indefinite postponement of the bill, when

Mr. Vickery moved a call of the House, which motion was negatived.

The further consideration of the bill was then indefinitely postponed by the following vote :

## YEAS.

Mr. Adams,	Mr. Ferguson,	Mr. R. D. Power,
Ames,	Griffin,	Pratt,
Barnard,	Hebard,	Ramsdell,
Baldwin,	Knowlton,	Rowland,
Berry,	Lamond,	Runyan,
Blindbury,	O. Miller,	Saunders,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
Fairfield,	P. Power,	Speaker,

30

## NAYS.

Mr. Delematter,	Mr. McLeod,	Mr. Tillson,
H. Hall,	Parmalee,	Vickery,
M. Hall,	Porter,	Videto,
Hawley,	Ruehle,	Van Husan,
Haydon,	Rix,	D. C. Walker,

24

Joslin,  
Knight,  
Livermore,

Schoolcraft,  
Sheldon,

H. N. Walker,  
White,

22

Mr. Baldwin moved a reconsideration of the vote by which the further consideration of the bill was indefinitely postponed.

Mr. Ramsdell rose to address the House, when

Mr. Murphy called him to order.

The Speaker decided that Mr. Ramsdell was in order.

Mr. Baldwin appealed from the decision of the Speaker, when the decision was sustained by the following vote :

## YEAS.

Mr. Ames,  
Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Livermore,  
McLeod,  
H. L. Miller,

Mr. Mosher,  
Parmelee,  
Porter,  
Pratt,  
Ramsdell,  
Ruehle,  
Rix,  
Runyan,  
Saunders,  
Schoolcraft,

Mr. Sheldon,  
Shurtz,  
Snell,  
Tillson,  
Videto,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,

31

## NAYS.

Mr. Adams;  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,

Mr. O. Miller,  
Murphy,  
P. Power,  
R. D. Power,  
Rowland,  
Stone,

19

The Speaker called Mr. McLeod to the chair.

Mr. D. C. Walker moved to adjourn, pending which,

Mr. Murphy moved a call of the House, which motion was lost.

The question then recurring on the motion to adjourn, was negatived by yeas and nays as follows :

## YEAS.

Mr. Delematter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Livermore,  
Mr. McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker.

24



## NAYS.

Mr. Adams,	Mr. Fairfield,	P. Power,
Ames,	Ferguson,	R. D. Power,
Barnard,	Griffin,	Pratt,
Baldwin,	Hebard,	Rowland,
Berry,	Lamond,	Runyan,
Blindbury,	O. Miller,	Saunders,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Snell,
Dunham,	Mr. Murphy,	Stone,

27

Mr. Livermore asked and obtained leave of absence for the Speaker, for the remainder of the day, on account of ill health.

Mr. Baldwin for Mr. Pratt, for the same time.

Mr. Baldwin then withdrew his motion to reconsider the vote by which the bill was indefinitely postponed.

Mr. Joslin moved an adjournment which motion was lost by the following vote :

## YEAS.

Baldwin,	Mr. McLeod,	Mr. Sheldon,
Delamatter,	Mosher,	Tillson,
H. Hall,	Parmelee,	Videto,
M. Hall,	Porter,	Vickery,
Haydon,	Ramsdell,	D. C. Walker,
Joslin,	Ruehle,	H. N. Walker,
Leland,	Rix,	White,
Livermore,		

22

## NAYS.

Mr. Adams,	Mr. Fairfield,	Mr. Murphy,
Ames,	Ferguson,	P. Power,
Barnard,	Griffin,	Rowland,
Berry,	Hebard,	Runyan,
Blindbury,	Knowlton,	Saunders,
Chester,	Lamond,	Shurtz,
Davis,	O. Miller,	Snell,
Dunham,	H. L. Miller,	Stone,

24

Mr. Barnard moved a reconsideration of the vote by which the bill was indefinitely postponed.

Mr. Baldwin moved the previous question, which was not sustained.

Mr. H. N. Walker moved that the House adjourn, which motion was lost by yeas and nays as follows :

## YEAS.

M. Delamatter,	Mr. Leland,	Mr. Rix,
H. Hall,	Livermore,	Sheldon,
M. Hall,	McLeod,	Tillson,

Hawley,  
Haydon,  
Joslin,  
Knight,

Parmelee,  
Porter,  
Ramsdell,  
Ruehle,

Videto,  
Vickery,  
D. C. Walker,  
White, 21

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Blindburry,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Hobard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Rowland,  
Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
D. C. Walker, 26

Mr. D. C. Walker moved a reconsideration of the last vote, which motion was lost by yeas and nays as follows :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,

Sheldon,  
Tillson,  
Videto,  
Vickery,  
D. C. Walker,  
H. N. Walker,  
White, 22

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,

Mr. Murphy,  
P. Power,  
R. D. Power,  
Rowland,  
Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone, 27

Mr. Joslin inquired if the question on demanding the previous question, was debatable.

The Speaker, *pro tempore*, decided it was debatable.

Mr. Barnard appealed from the decision of the chair.

Mr. Ramsdell moved to lay the appeal on the table, which motion was lost by the following vote :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,

M. Livermore,  
McLeod,  
Parmelee,

Saunders,  
Sheldon,  
Tillson,

Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Porter,  
Ramsdell,  
Ruehle,  
Rix,

Videto,  
Vickery,  
H. N. Walker,  
White,

22

## NAYS,

Mr. Adams  
Aames  
Barnard  
Baldwin  
Berry  
Blindbury  
Chester  
Davis  
Dunham

Mr. Fairfield  
Ferguson  
Griffin  
Hebard  
Knowlton  
O. Miller  
H. L. Miller  
Mosher  
Murphy

Mr. P. Power  
R. D. Power  
Rowland  
Runyan  
Shurtz  
Snell  
Stone  
D. C. Walker

26

Mr. D. C. Walker moved a reconsideration of the last vote,  
which motion was negatived by the following vote :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,

Mr. Leland,  
Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,

Mr. Rix,  
Sheldon,  
Tillson,  
Videto,  
Vickery,  
D. C. Walker,  
H. N. Walker,

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,

P. Power,  
Mr. R. D. Power,  
Rowland,  
Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
White.

28

Mr. D. C. Walker moved to adjourn.

Mr. Murphy raised a point of order.

The Speaker, *pro tempore*, decided the motion to adjourn to be in order.

Mr. Murphy appealed from the decision of the chair, when the decision was reversed by the following vote :

## YEAS.

Mr. Delamatter,

Mr. Leland,

Mr. Rix,  
Sheldon,

M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,

H. L. Miller,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,

Tillson,  
Videto,  
Vickery,  
Van Hulan,  
H. N. Walker,

# NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Rowland,  
Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
D. C. Walker,  
White, 27

Mr. D. C. Walker moved a reconsideration of the vote.

Mr. Ramsdell rose to speak on the question of reconsideration, when

Mr. Baldwin called him to order.

The Speaker *pro tem.* decided Mr. Ramsdell to be in order.

The question being on a reconsideration of the vote by which the decision of the chair was reversed, it prevailed.

The question then recurring on the appeal taken by Mr. Murphy from the decision of the chair, the decision was sustained.

The question then recurring on the motion to adjourn, it prevailed. So the House stands adjourned till ten o'clock on Monday morning.

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*Monday, February 5, 1844.*

The House met pursuant to adjournment, and on calling the roll, Mr. Murphy was absent.

Prayer by Rev. Mr. Harrison.

The journal of Saturday was read and corrected.

# PETITIONS.

By Mr. Joslin, of H. R. Shetterly, and 25 other citizens of Wash-tenaw county, for the abolition of capital punishment. Referred to the select committee on that subject.

By Mr. McLeod, of thirty-six chiefs and head men of the Ottawa Indians, praying the legislature to take some action to secure to them the rights of citizenship. Referred to the committee on federal relations.

On motion of Mr. Joslin, 250 extra copies of the petition were ordered printed.

By Mr. Shurtz, of E. Kellogg, and 59 others, of the township of Wakeman, St. Joseph county, for changing the name of said township. Referred to the committee on the organization of towns and counties.

By Mr. Ramsdell, of E. C. Clark, of Ann Arbor, and 12 others, for an act of incorporation of the Alphidelphia association. Referred to the committee on banks and incorporations.

By Mr. D. C. Walker, of Lyman Selleck, that power be given to Samuel H. Ewell, executor of Samuel Ewell, deceased, to convey certain lands. Referred to the committee on the judiciary.

By Mr. Schoolcraft, the claim of H. N. Strong, for services in investigation of the five million loan. Referred to the committee on claims.

. REPORTS.

Mr. Baldwin, from the committee on the organization of towns and counties, made the following report, which was accepted, and the committee discharged:

The committee on towns and counties, to whom was referred the petition of William C. Hoyt and 100 others, for the division of the counties of Oakland and Livingston, and the formation of a new county, have instructed me to report:

That the committee have had the matter under consideration, and deem a compliance with the same inexpedient. The two counties proposed to be divided contain a population of over 35,000 inhabitants. The petition had only 100 signatures to it, and your committee do not believe themselves authorized to act in the premises, when there is so great a disproportion between the petitioners and the persons affected. Other reasons, appearing on the face of the petition, might be set forth, inducing your committee to report adversely to the same, but they do not consider it necessary. All of which is respectfully submitted.

Mr. Ramsdell, from the committee on the judiciary, made the following report, which was accepted, and the committee discharged:

The committee to whom was referred the petition of Ebenezer Benham and others, have according to order had the same consideration, and have directed me to submit the following report:

The petitioners pray for the passage of a law compelling every person of color to give a bond, with two freehold securities, to entitle them to a residence in this state.

In the opinion of your committee such a law would be most unjustly oppressive to a race of men, whose ancestors were, by the accursed slave trade, forced into the country, and whose condition is already rendered sufficiently unhappy by the wrongs and oppressions which have been heaped upon them by the American people. The committee would therefore rather recommend to their fellow-citizens the extension of the justice and Christian sympathy to this class of persons, which their wrongs and misfortune, as well as common humanity, demand.

Also, from the same committee, made the following report, which was accepted, and the committee discharged:

The committee to whom was referred a "bill to amend an act to provide for the organization of courts of special sessions, and to define their powers and duties," have had the same under consideration, and directed me to report the same back without amendment, and recommend that it be not passed.

This bill provides that if the accused shall request to be tried by a court of special sessions, he shall, at the same time, elect whether he will be tried with or without a jury, and if he elect to be tried by a jury, it shall be an election to be tried by a jury of six men. By this provision, the person accused is compelled to be tried by a jury of six men, or he is deprived of any jury, which in the opinion of your committee, is unconstitutional.

By the 10th section of the 1st article of the constitution, it is declared that, "in all criminal prosecutions, the accused shall have the right to a speedy and public trial, by an impartial jury of the vicinage." A jury is defined by Coke and Blackstone, to consist of twelve men, and this common law definition of a jury is adopted by the constitution. Which is respectfully submitted.

The "bill to amend an act to provide for the organization of courts of special sessions, and to define their powers and duties," was referred to the committee of the whole.

Mr. Ramsdell, from the judiciary committee, to whom was referred the "bill to amend section 1, chapter 1, title 2, part 2d, of the revised statutes, relative to the descent of real estate," reported the same back and recommended that it be not passed.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Ramsdell, from the same committee, also made a verbal report, which the Speaker decided could not be entertained under the resolution adopted by the House on Tuesday.

Mr. Ramsdell appealed from the decision of the Speaker, when the decision of the chair was sustained by the House.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the petition of Albert Crane, asking an amendment to the "act relative to certain suits in ejectment," reported adversely to the prayer of said petition, for the reason that the subject is already provided for by law.

The following message was received from the Senate:

SENATE CHAMBER }  
February 3, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit to the House a bill to provide more effectually for the collection and disposition of fines and penalties, which the Senate have passed and respectfully ask the concurrence of the House therein.

JAS. E. PLATT  
*Secretary of the Senate.*

The bill to provide more effectually for the collection and disposition of fines and penalties, was read twice and referred to the committee on the judiciary.

The Speaker announced the following message from the Senate:

SENATE CHAMBER }  
February 5, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the bill to amend an act entitled an act authorizing William W. Bliss administrator, &c., of Hervey Bliss deceased, to convey certain real estate, and to respectfully inform the House that the Senate have concurred therein.

JAMES E. PLATT  
*Secretary of Senate.*

The bill to amend an act entitled an act authorizing William W. Bliss, &c., was ordered to be enrolled.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Vickery moved to take up the joint resolution fixing the day adjournment, which motion was lost.

Mr. R. D. Power gave notice that on some future day he should ask leave to introduce a bill allowing sheriffs to execute process in justices courts, and for other purposes.

Mr. D. C. Walker gave notice that on some future day he should ask leave to introduce a bill to amend an act entitled an act to incorporate the village of Romeo.

The House then took up the unfinished business, being the bill making appropriations on the central railroad, and the question being on the appeal from the decision of the Speaker.

On motion of Mr. D. C. Walker, the appeal was laid off the table.

The question then being on the motion to reconsider the vote, by which the bill was indefinitely postponed,

Mr. Rowland moved a call of the House, which motion prevailed, and on a call being had, all the members were present except Mr. Hawley.

Mr. H. L. Miller moved to suspend all further proceedings under the call, which motion was lost.

On motion of Mr. D. C. Walker, the sergeant-at-arms was dispatched for the absentee.

Mr. Hawley having returned,

On motion of Mr. D. C. Walker, all further proceedings under the call were dispensed with.

The question then being upon reconsidering the vote by which the bill was indefinitely postponed, it prevailed by the following vote :

#### YEAS.

Mr. DeLamater,	Mr. McLeod,	Mr. Sheldon,
H. Hall,	Parmelee,	Tillson,
M. Hall,	Porter,	Videto,
Hawley,	Ramsdell,	Vickery,
Haydon,	Ruchle,	Van Huse,
Joslin,	Rix,	D. C. Walker,
Knight,	Runyan,	H. N. Walker,
Leland,	Saunders,	White,
Livermore,	Schoolcraft,	Speaker, 27

#### NAYS.

Mr. Adams,	Mr. Fairfield,	Mr. Mosher,
Ames,	Ferguson,	Murphy,
Barnard,	Griffin,	P. Power,
Baldwin,	Hebard,	R. D. Power,
Berry,	Knowlton,	Pratt,
Blindtury,	Lamond,	Rowland,



Chester,  
Davis,  
Dunham,

O. Miller,  
H. L. Miller,

Snell,  
Stone,

25

On motion of Mr. Berry a call of the House was had, when the members were all present.

On motion of Mr. Videto, all further proceedings under the call were dispensed with.

The question then recurring on the indefinite postponement of the bill, it prevailed by yeas and nays as follows :

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,

Mr. Murphy,  
P. Power,  
R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Shurtz,  
Snell,  
Stone,

27

## NAYS.

Mr. Delamatter,  
H. Hall  
M. Hall,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,  
Livermore,

Mr. McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Saunders,  
Schoolcraft,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

26

The House then went into committee of the whole on the general order, Mr. Livermore in the chair, and after some time spent thereon the committee rose, and by their Chairman, reported that they had had under consideration a "joint resolution rescinding in part a joint resolution prohibiting new contracts on public works," a joint resolution relative to granting relief to Isaiah J. Hudson, which they reported back without amendments, and a bill to provide for the report of the decisions of the supreme court and the court of chancery, and a bill in relation to convict labor in the state prison, which they reported back with sundry amendments in which the concurrence of the House was asked.

The joint resolution relative to granting relief to Isaiah J. Hudson being under consideration.

Mr. H. L. Miller moved to lay the resolution on the table, which did not prevail.

On motion of Mr. D. C. Walker, the House adjourned.

—  
*Afternoon Session.*

*February 6, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Baldwin, Murphy, Schoolcraft and H. N. Walker were absent.

Mr. Joslin asked and obtained leave of absence for Mr. Murphy for one hour.

Mr. Pratt, for Mr. Baldwin, till Wednesday next.

Mr. Berry for Mr. Fairfield, till to-morrow.

The House then took up the joint resolution relative to granting relief to Isaiah J. Hudson, when

Mr. Vickery moved the indefinite postponement of the resolution, pending which,

On motion of Mr. Joslin, the resolution was laid on the table.

The House then took up the joint resolution rescinding in part a joint resolution prohibiting any new contracts on the public works.

Mr. Vickery moved its indefinite postponement, which motion was lost by the following vote:

YEAS.

Mr. Barnard,  
Blindbury,  
Davis,  
H. Hall,  
Haydon,  
Hebard,

Mr. Knight,  
Knowlton,  
Leland,  
McLeod,  
Parmelee,

Mr. Porter,  
Ruehle,  
Vickery,  
Van Husean,  
H. N. Walker,

16

NAYS.

Mr. Adams,  
Ames,  
Berry,  
Chester,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
M. Hall,  
Hawley,  
Joslin,

Mr. Lamond,  
Livermore,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,  
R. D. Power,  
Pratt,  
Ramsdell,  
Rix,  
Rowland,

Mr. Runyan,  
Saunders,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
D. C. Walker,  
White,  
Speaker

35

Mr. Rowland moved to lay the joint resolution on the table, which motion was lost.

On motion of Mr. Fairfield, the joint resolution was amended by adding after the word "rescined," in the third line, the words "so far as relates to the improvement of the St. Joseph river, and"

Mr. White moved to amend by adding after the word 'river' in the 4th line, 'and for constructing a canal around the rapids of Grand River at Grand Rapids, which motion did not prevail.

Mr. Vickery moved to amend by adding at the end of the resolution the words 'and the contracts aforesaid shall be paid out of the assets of the Michigan State Bank.'

Mr. Fairfield moved to amend the amendment, [by adding, 'or from the net proceeds of the central railroad, not otherwise appropriated,' which amendment was lost.

Mr. Joslin moved to amend the amendment by adding the words, "or out of the net proceeds of the southern railroad before December 1st, 1843," which motion was lost.

The question then recurring on the amendment offered by Mr. Vickery it was lost.

Mr. Ramsdell moved to lay the resolution on the table, which motion did not prevail.

The joint resolution was then ordered to be engrossed for a third reading, by the following vote :

## YEAS.

Mr. Adams,  
Ames,  
Berry,  
Chester,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,

Mr. Hebard,  
Joslin,  
Knight,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Rowland,  
Runyan,  
Shurtz,  
Stone,  
Tillson,  
Van Husan,  
D. C. Walker,  
White,  
Speaker, 30

## NAYS.

Mr. Barnard,  
Blindburry,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
Porter,  
Pratt,  
Ramsdell,  
Ruehle,

Mr. Rix,  
Saunders,  
Sheldon,  
Snell,  
Videto,  
Vickery,  
H. N. Walker, 21

The House then took up the bill in relation to convict labor in the state prison, and the question being on concurring in the amendments made in committee of the whole, the first amendment was concurred in.

Mr. Berry moved to lay the bill on the table, which motion was lost.

The second amendment was then concurred in, and the third amendment non-concurred in.

Mr. Ramsdell moved to amend the 5th section by striking out all after the word "law," in the fourth line, to the word "forfeit" in the 7th line, and inserting "shall" before "forfeit" which motion prevailed.

On motion of Mr. Joslin the 5th and 6th sections were stricken out.

Mr. H. L. Miller moved to amend section 1, by striking out all after the word "county" in the 7th line, which motion was lost.

Also moved to amend section 2, by striking out the word "who" in the first line, and all after the word "state" in the second line which did not prevail.

Also moved to amend section 2, by striking out all after the word "conviction" in the 5th line, which motion was lost.

Also moved to amend section 3, by striking out all after the word "prison" in the 2d line, which motion was lost.

Also moved to strike out the third section. Lost.

Also moved to strike out the fourth section. Lost.

Mr. H. N. Walker moved to amend section 2 by striking out the word "county" in the 7th line and insert "state" and striking out "United States" in the 8th line, and insert "state."

Mr. Joslin moved to lay the bill on the table, which motion did not prevail.

The question recurring on the amendments offered by Mr. H. N. Walker, it prevailed.

Mr. Berry moved an adjournment, which motion was lost.

Mr. Knowlton moved to strike out all after the enacting clause pending which,

Mr. Berry moved to lay the bill on the table, which motion was lost.

Mr. Leland moved an adjournment which was lost.

Mr. D. C. Walker moved to amend section 2, by striking out of line 6 the word "glass," which motion prevailed.

On motion of Mr. H. N. Walker the word "hardware" was inserted where "glass" had been stricken out of the second section.

Mr. Joslin moved to amend the second section by striking out of the 5th line the words "woollen or," which motion was lost.

Mr. Barnard moved an adjournment, which did not prevail.

Mr. H. L. Miller moved to amend by inserting after the word "state" in the 7th line of section 2, the word "officers," which amendment was lost.

Mr. Joslin moved the previous question, which was sustained, and the main question was ordered to be now put by the following vote :

## YEAS.

Mr. Adams,	Mr. Hebard,	Mr. Rix,
Berry,	Hawley,	Runyan,
Blindbury,	Joslin,	Saunders,
Dunham,	Knowlton,	Sheldon,
Fairfield,	Leland,	Shurtz,
Ferguson,	H. L. Miller,	Stone,
Griffin,	Murphy,	Tillson,
H. Hall,	Parmelee,	D. C. Walker,
M. Hall,	Ruehle,	Speaker, 27

## NAYS.

Mr. Ames,	Mr. O. Miller,	Mr. Ramsdell,
Barnard,	Mosher,	Snell,
Chester,	P. Power,	Videto,
Davis,	R. D. Power,	Vickery,
Delamatter,	Porter,	Van Husan,
Livermore,	Pratt,	White, 19
McLeod,		

Mr. Murphy moved an adjournment which was lost.

The main question being on the indefinite postponement of the bill was then decided in the negative by yeas and nays as follows :

## YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Runyan,
Berry,	Knowlton,	Sheldon,
Blindbury,	H. L. Miller,	Shurtz,
Dunham,	P. Power,	Stone.
Griffin,		

13

## NAYS

Mr. Ames,	Mr. Leland,	Mr. Rowland,
Barnard,	Livermore,	Saunders,
Chester,	McLeod,	Snell,
Davis,	O. Miller,	Tillson,
Delamatter,	Mosher,	Videto,
Fairfield,	Parmelee,	Vickery,

Ferguson,	R. D. Power,	Van Huse,
H. Hall,	Pratt,	D. C. Walker,
M. Hall,	Ramsdell,	H. N. Walker,
Hawley,	Ruehle,	White,
Hebard,	Rix,	Speaker. 33

On motion of Mr. Ramsdell the House adjourned.

*Tuesday February 6, 1844.*

The House met pursuant to adjournment and on calling the roll Mr. Baldwin was absent on leave.

Prayer by the Rev. Mr. Harrison.

The journal of yesterday was read and corrected.

Mr. Runyan stated that in the journal, his name appeared recorded among the yeas on the question of reconsidering the vote by which the bill making appropriation on the central railroad was indefinitely postponed, while in fact he voted in the negative.

On motion of Mr. H. L. Miller, the clerk was directed to enter the above statement on the journal:

#### PETITIONS.

By Mr. Joslin, of W. H. Edey, and others, for the change of the name of the village of Mooreville to York. Referred to the committee on the organization of towns and counties.

Also, the claim of James Sanders, for stove furniture lost on the railroad. Referred to the committee on claims.

By Mr. Livermore, the remonstrance of A. F. Bolton, and other citizens of Jackson county, against the incorporation of a bank in Jackson county. Referred to the committee on banks and incorporations.

By Mr. Fairfield, the claim of R. W. Ingalls, for printing, &c.—Referred to the committee on claims,

By Mr. D. C. Walker, the petition of Henry B. Teed, relative to certain university lands purchased by him. Referred to the committee on public lands.

By the Speaker, the memorial of Hovey K. Clarke, in behalf of the board of supervisors of Allegan county, relative to the authority of the Auditor General in charging back taxes to the several counties. Referred to the committee on ways and means.

## REPORTS.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed the "joint resolution rescinding, in part, a joint resolution prohibiting new contracts on public works."

Also, from the same committee, reported the "bill to amend an act entitled an act authorizing William W. Bliss, administrator of Hervey Bliss, deceased, to convey certain real estate, approved February 22, 1843," as correctly enrolled, and that the same was this day presented to the governor for his approval.

Mr. Ramsdell, from the committee on the judiciary, made the following report, which was accepted and the committee discharged:

The committee, to whom was referred the petition of George Stedman and others, have, according to order, had the same under consideration, and directed me to submit the following report:

The petitioners pray for the passage of an act prohibiting all persons from recovering any thing for damage done to their crops by cattle, sheep, horses or swine, in case their crops are not kept enclosed by a lawful fence. A bill, similar to the law prayed for, has, during the present session of the legislature, been introduced and lost in the House of Representatives; and the committee have, therefore, instructed me to report that no legislation on the subject is necessary.

Also, from the same committee, to whom was referred the "bill to provide for the payment of entry, judgment and jury fees, and to prescribe the compensation to be paid to jurors in courts of record, and justices courts," reported the same back with the following amendments, which were concurred in:

Amend section five, by add'ng to said section the following:

"And in each case of forcible entry and detainer, or forcible detainer, and in every case of unlawfully holding any lands or tenements or land or tenement, each juror shall receive the sum of twenty-five cents, which shall be paid by the complainant before the jury shall render their verdict, and taxed in the costs of the proceedings."

Substitute the following for section eight:

"That section two of an act entitled 'an act to provide for the issuing and return of venires, the payment of jurors, appointment of circuit court commissioners and for other purposes,' approved March 9, 1843, and sections twenty and twenty-three of an act entitled 'an act to regulate and prescribe the amount of fees,' approved April 1, 1840,

and so much of section twenty-four of an act entitled 'an act to provide for the organization of courts of special sessions and to define their powers and duties,' approved March 19, 1840, as relates to fees of jurors; and an act entitled 'an act to amend chapter five, title three, part three of the revised statutes, entitled, 'of forcible entry and detainer,''' approved February 15, 1842; and so much of any other act or law now in force, as provides for the payment of jurors or the fees in this act provided for, or as is inconsistent with or contravenes the provisions of this act, be, and the same are hereby repealed."

Also, from the same committee, made the following report, which was accepted and the committee discharged :

The committee to whom was referred the petition of Leonard Starkweather and others, have, according to order, had the same under consideration, and directed me to report adverse to the prayer of the petition.

Your committee have no evidence before them, other than this petition, evincing a wish on the part of any of the people, to have the laws mentioned in the petition, abolished. These laws are of long standing; the business transactions of the state have been made to conform to them, and your committee believe that unless there is a general and urgent call for their repeal, they should be suffered to remain.

Mr. McLeod, from the committee on education, made the following report, which was accepted and the committee discharged :

The committee on education, to whom was referred the petition of Benjamin Bangs and thirty-five others, citizens of Livingston county, praying the legislature to amend the law relative to primary or common schools, ask leave to report.

The object which the petitioners desire to attain is, such a modification of the present school law as will enable them, after appropriating the public moneys, to supply deficiencies in the payment of teachers, by a tax on the property of the residents of the district.

The reasons urged by the petitioners in support of their prayer, are plausible and, in the main, correct; but your committee are unwilling to advise the alteration proposed by the petitioners.

The present law relative to common or primary schools, is, as yet, an experiment. It was matured with much pains and after a protract-



ed and tedious debate, at the last session of the legislature. It is complex in its details, and requires time and observation to test its feasibility.

Your committee are of opinion that less injury will be done by suffering the law to remain, for the present, unamended, than by the temporary and local inconveniences which are incident to the first workings of every educational system, and which time and experience can alone obviate.

Your committee therefore report adversely to the prayer of the petitioners.

Mr. Murphy, from the committee on banks and incorporations, to whom have been referred sundry petitions for the incorporation of the Alphadelphia association, submitted a report and letter from H. R. Shetterly, accompanied by a bill to incorporate the Alphadelphia association.

The bill was read twice, referred to the committee of the whole, and ordered printed.

On motion of Mr. Pratt, 500 copies of the report and letter were ordered printed.

#### MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Parmelee moved to take up the joint resolution fixing the day of adjournment, which did not prevail.

Mr. Fairfield offered the following resolution :

*Resolved*, That the Governor be requested to furnish this House with a copy of the communications (if any,) received by him from adjutant general Roberts while at Washington, for the purpose of obtaining arms for the militia of this state.

On motion of Mr. Schoolcraft, the resolution was amended by inserting the word official before communication, and the resolution, as amended, was then adopted.

Mr. Van Husean gave notice that at some future day he should ask leave to bring in a bill to amend an act entitled an act to repeal a part of chapter eight, title five, part first of the revised statutes, and for other purposes, approved February 17, 1842.

Mr. Lamond gave notice that at no distant day he should ask leave to introduce a bill to improve the navigation of the Flint river.

Mr. Saunders, pursuant to previous notice, asked and obtained

leave to introduce a bill to establish the county of Washington, and Messrs. Saunders, Livermore, and Pratt, were appointed a committee to bring in the bill.

Mr. Joslin offered the following resolution.

*Resolved*, That the committee on federal relations be instructed to bring in a joint resolution in favor of the reduction of postage and restriction of the franking privilege.

Mr. H. L. Miller moved to amend by adding, "and against the annexation of Texas to the Union," which motion was lost.

The resolution was then adopted.

On motion of Mr. D. C. Walker, the bill to amend the act to provide for the completion and preservation of the Clinton and Kalamazoo canal between the villages of Frederick and Rochester, was taken from the table, and the question being on the adoption of the substitute for the second section offered by Mr. Stone, it was lost, by yeas and nays as follows :

## YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. Mosher,
Ames,	Ferguson,	Murphy,
Barnard,	Griffin,	Rowland,
Blindbury,	Knowlton,	Saunders,
Chester,	O. Miller,	Stone,
Dunham,	H. L. Miller,	

17

## NAYS.

Mr. Davis,	Mr. McLeod,	Mr. Sheldon,
Delamatter,	Parmelee,	Shurtz,
H. Hall,	P. Power,	Snell,
M. Hall,	R. D. Power,	Tillson,
Hawley,	Porter,	Videto,
Haydon,	Pratt,	Vickery,
Hebard,	Ramsdell,	Van Huse,
Joslin,	Ruehle,	D. C. Walker,
Knight,	Rix,	H. N. Walker,
Leland,	Runyan,	White,
Livermore,	Schoolcraft,	Speaker,

33

Mr. Fairfield moved to lay the bill on the table, which motion was lost by the following vote:

## YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. Murphy,
Ames,	Griffin,	R. D. Power,
Barnard,	Knowlton,	Pratt,
Blindbury,	O. Miller,	Rowland,

Davis,  
Dunham,

H. L. Miller,  
Mosher,

Runyan,  
Saunders, 18

# NAYS.

Mr. Chester,  
Delamatter,  
Ferguson,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Lamond,

Mr. Leland,  
Livermore,  
McLeod,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Schoolcraft,  
Sheldon,

Mr. Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker. 33

Mr. Pratt moved to amend the bill by striking out all after "1843" in the third line, to the word "and" in the fifth line, which did not prevail.

Mr. Rowland moved to amend by adding the following to stand as section 2.

Section 2. That all persons holding warrants drawn under this act payable in land, shall within two years after the date of the warrant locate the lands called for in the warrant, or the person holding the same shall forfeit all claim either against the state, or for any lands now or hereafter owned by the state.

Mr. H. L. Miller moved to amend the amendment by inserting after the word "persons," the words "except sick persons, widows and orphans," which motion was lost.

The question recurring on the amendment offered by Mr. Rowland, it was lost, by yeas and nays, as follows:

# YEAS.

Mr. Adams,  
Ames,  
Blindbury,  
Chester,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Hawley,  
H. L. Miller,  
Mosher,  
R. D. Power,

Mr. Rowland,  
Runyan,  
Saunders,  
Stone,  
H. N. Walker, 17

# NAYS.

Mr. Barnard,  
Davis,  
Delamatter,  
H. Hall,  
M. Hall,  
Haydon,  
Hebard,

Mr. Livermore,  
McLeod,  
O. Miller,  
Parmelee,  
P. Power,  
Porter,  
Pratt,

Mr. Sheldon,  
Shurtz,  
Snell,  
Tillson,  
Videto,  
Vickery,  
Van Huse,

Joslin,  
Knight,  
Knowlton,  
Leland,

Ramsdell,  
Ruehle,  
Rix,  
Schoolcraft,

D. C. Walker,  
White,  
Speaker,

32

Mr. H. L. Miller offered the following amendments, which were severally rejected:

Add the following as an additional section: Five thousand acres of land are hereby appropriated for the improvement of the navigation of Grand River, between the mouth of the same, and the village of Grand Rapids.

Add the following as an additional section: Five thousand acres of land are hereby appropriated to the construction of the Saginaw turnpike, between the villages of Flint and Saginaw.

Add the following as an additional section: Five thousand acres of land are hereby appropriated for the removal of the drift wood in the Flint river, between the villages of Flint and Saginaw.

Add the following as an additional section: Five thousand acres of land are hereby appropriated to the removal of the drift wood in the Shiawassee river, between the villages of Owasso and Saginaw.

The bill was then ordered to be engrossed for a third reading by the following vote :

## YEAS.

Mr. Adams,  
Ames,  
Chester,  
Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Knowlton,

Mr. Leland,  
Livermore,  
McLeod,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Saunders,  
Schoolcraft,

Mr. Sheldon,  
Shurtz,  
Snell,  
Tillson,  
Videto,  
Vickery,  
Van Hulan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

35

## NAYS.

Mr. Barnard,  
Blindbury,  
Davis,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
H. L. Miller,  
Mosher,

Mr. Pratt,  
Rowland,  
Runyan,  
Stone,

13

Mr. Pratt called up the joint resolution for the relief of Isaiah J. Hudson, and it was ordered to be engrossed for a third reading.

Mr. H. N. Walker moved to discharge the committee of the whole, from the bill authorizing the receipt of the obligations of this state in payment for university lands, and the same be taken up in the House.

Mr. H. L. Miller moved to amend the motion by taking the bill from the general order and making it the special order for this afternoon, which amendment was accepted by Mr. H. N. Walker, and the motion as amended prevailed.

On motion of Mr. Porter, the House adjourned.

### *Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll Mr. P. Power was absent.

Mr. White offered a joint resolution rescinding in part the joint resolution prohibiting new contracts upon the public works, which was read twice, referred to the committee of the whole and ordered printed.

The bill to provide for the payment of entry, judgment and jurors fees, and to prescribe the compensation to be paid jurors in courts of record and justices courts, was read a third time and the question being on its passage,

Mr. H. L. Miller moved to lay the bill on the table, which motion did not prevail.

The bill was then passed.

The joint resolution rescinding in part a joint resolution prohibiting new contracts on public works, was taken up, read a third time and passed by the following vote :

### YEAS.

Mr. Adams,	Mr. H. Hall,	Mr. H. Hall,
Ames,	Hebard,	Runyan,
Berry,	Joslin,	Shurtz,
Chester,	Knowlton,	Stone,
Davis,	Lamond,	Tillson,
Delamatter,	Leland,	Videto,
Dunham,	Livermore,	D. C. Walker,
Fairfield,	O. Miller,	White,
Ferguson,	Murphy,	Speaker,
Griffin,	R. D. Power,	29

### NAYS.

Mr. Barnard,	Mr. H. L. Miller,	Mr. Rowland,
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Blindbury,	Mosher,	Schoolcraft,
M. Hall,	Parmelee,	Snell,
Hawley,	Porter,	Vickery,
Haydon,	Pratt,	Van Husean,
Knight,	Ruehle,	H. N. Walker,
McLeod,	Rix,	20

The joint resolution relative to granting relief to Isaiah J. Hudson, was read a third time and passed by yeas and nays as follows :

## YEAS.

Mr. Ames,	Mr. Lamond,	Mr. Runyan,
Barnard,	Leland,	Shurtz,
Baldwin,	Livermore,	Snell,
Chester,	McLeod,	Stone,
Davis,	O. Miller,	Tillson,
Delamatter,	Parmelee,	Videto,
Dunham,	R. D. Power,	Van Husean,
M. Hall,	Porter,	D. C. Walker
Hebard,	Pratt,	H. N. Walker,
Knight,	Ramsdell,	White,
Knowlton,	Rix,	32

## NAYS.

Mr. Adams,	Mr. H. Hall,	Mr. Murphy,
Berry,	Hawley,	Ruehle,
Blindbury,	Haydon,	Rowland,
Fairfield,	Joslin,	Sheldon,
Ferguson,	H. L. Miller,	Vickery,
Griffin,	Mosher,	Speaker,
		18

The House took up the bill to amend an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick, and it was read a third time and the question being on its passage,

On motion of Mr. D. C. Walker, a call of the House was had, when Messrs. P. Power and Tillson were absent.

Mr. D. C. Walker moved to send the Sergeant-at-arms for the absentees, which motion was lost.

Mr. Pratt asked and obtained leave of absence for Mr. P. Power for the afternoon.

On motion of Mr. Barnard, further proceedings under the call were dispensed with.

The bill was then passed by the following vote :

## YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Rix,
Ames,	Knight,	Runyan,

Berry,	Knowlton,	Schoolcraft,
Chester,	Lainond,	Sheldon,
Davis,	Leland,	Shurtz,
Delamatter,	Livermore,	Snell,
Dunham,	McLeod,	Tillson,
Ferguson,	O. Miller,	Videto,
Griffin,	Parmelee,	Vickery,
H. Hall,	R. D. Power,	D. C. Walker,
M. Hall,	Porter,	H. N. Walker,
Hawley,	Ramsdell,	White,
Haydon,	Ruehle,	Speaker.
Hebard,		

40

## NAYS.

Mr. Barnard,	Mr. H. L. Miller,	Mr. Rowland,
Baldwin,	Mosher,	Saunders,
Blindbury,	Murphy,	Stone,
Fairfield,	Pratt,	Van Husean,

12

The bill in relation to convict labor in the state prison, was taken up; and the question being on ordering the bill to be engrossed for a third reading,

Mr. Haydon was excused from voting.

The bill was then ordered to be engrossed for a third reading, by the following vote:

## YEAS.

Mr. Blindbury,	Mr. Leland,	Mr. Runyan,
Chester,	Livermore,	Saunders,
Davis,	O. Miller,	Tillson,
Delamatter,	Parmelee,	Videto,
Fairfield,	R. D. Power,	Vickery,
H. Hall,	Pratt,	Van Husean,
M. Hall,	Ruehle,	H. N. Walker,
Hawley,	Rix,	White,
Hebard,	Rowland,	Speaker,

27

## NAYS.

Mr. Adams,	Mr. Joslin,	Mr. Ramsdell,
Ames,	Knight,	Schoolcraft,
Barnard,	Knowlton,	Sheldon,
Baldwin,	McLeod,	Shurtz,
Berry,	H. L. Miller,	Snell,
Dunham,	Mosher,	Stone,
Ferguson,	Murphy,	D. C. Walker,
Griffin,	P. Power,	

23

The bill to provide for the report of the decisions of the supreme court and the court of chancery, was then taken up, and the amendment made in committee of the whole was concurred in, and,

On motion of Mr. Joslin, the bill was laid on the table.

The House then went into committee of the whole on the special order, being the bill to authorize the receipt of the obligations of this state in payment of university lands, Mr. H. L. Miller in the chair; and after some time spent thereon, the committee rose, and, by their chairman, reported progress and asked leave to sit again. Leave was granted.

On motion of Mr. Pratt, the House adjourned.

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*Wednesday, February 7, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry, Dunham, Fairfield and D. C. Walker, were absent.

Prayer by the Rev. Mr. Harrison.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Adams, the remonstrance of sundry inhabitants of the township of Batavia, Branch county, against the application of non-resident highway taxes, in said township, on a certain state road. Referred to the committee on roads and bridges.

Also, the petition of John Roberts and other residents of school district No. 7, in the township of Coldwater, asking the legislature to authorize the commissioner of public lands to sell said district half an acre of university lands, on section twenty-four, in said township, or a site for a school house. Referred to the committee on public lands.

By Mr. Stone, of William White and five others, for the passage of an act to incorporate the Newport garden. Referred to the committee on banks and incorporations.

By Mr. M. Hall, of sixty-two citizens of Calhoun county, for the amendment of chapter two, title six, part two of the revised statutes, relative to chattel mortgages. Referred to the committee on the judiciary.

By Mr. Shurtz, of John Patterson, relative to an appraisal of certain university lands therein mentioned. Referred to the committee on public lands.

By Mr. Livermore, of legal voters of Jackson county, for a law



authorizing bounties to encourage silk growing. Referred to the committee on agriculture and manufactures.

Also, of legal voters of the county of Jackson, for the passage of a law for the better protection of personal liberty. Laid on the table.

By Mr. Ramsdell, the claim of Thomas G. Davis. Referred to the committee on claims.

By the Speaker, the remonstrance of E. Baker and fifteen others, citizens of the township of Watson, Allegan county, against the change of the name of said township. Referred to the committee on the organization of towns and counties.

#### REPORTS.

Mr. Schoolcraft, from the committee on federal relations, made the following report:

The committee on federal relations, having been instructed by a resolution of this House, to introduce a "joint resolution in favor of the reduction of postage, and restriction of the franking privilege," ask leave, in pursuance of this resolution, to propose to the House a joint resolution:

The report was accepted, and the "joint resolution relative to the reduction of the present rates of postage," was read twice, referred to the committee of the whole, and ordered printed.

Mr. Murphy, from the committee on banks and incorporations, made the following report:

The committee on banks and incorporations, to whom was referred a "bill entitled an act to amend an act entitled an act to incorporate the village of Adrian, approved March 7, 1843," report that they have had the same under consideration, and recommend its passage.

The report was accepted, and the bill referred to the committee of the whole.

Also, from the same committee, to whom have been referred sundry petitions for, and remonstrances against, the incorporation of a bank in Jackson county, made a report, which was read, accepted, and laid on the table.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill relative to convict labor in the state prison."

Mr. Stone, from the committee on the judiciary, to whom was re-

ferred the Senate "bill to provide for consolidating and revising the general laws of the state of Michigan," reported the same back with an amendment, and recommended the passage of the bill.

The report was accepted, and the bill and amendment referred to the committee of the whole.

Mr. Joslin, from the committee on internal improvement, reported a "bill to authorize the supervisors of Kent county, to build a free bridge across Grand River, at Grand Rapids," which was read twice and referred to the committee of the whole and ordered printed.

Mr. H. N. Walker, from the committee on public lands, submitted the following report, which was accepted, and the committee discharged:

The committee on public lands have had under consideration the claim of Daniel Thurston, and have instructed me to report that they have examined into the claim and find that it relates to damages occasioned by the construction of the Clinton and Kalamazoo canal, and a mill dam for the "Frederick Mills." The committee cannot perceive wherein the interests of the state, so far as the public lands are concerned, are involved, and would suggest that the appropriate committee to examine the same, would be that on claims. Your committee ask to be discharged.

Also, from the same committee, to whom was referred the petition of Moses Finch, made the following report, which was accepted, and the committee discharged:

The committee on public lands have had under consideration the petition of Moses Finch, and report that it appears from such petition that Moses Finch holds possession of the lands under the act of March 25, 1840, entitled "an act to provide for the sale of certain lands to the settlers thereon, and for other purposes;" that from his own statements, your committee are convinced that he has abused the privileges granted to him under said act, and they can see no reason why a special law should be passed for the benefit of the petitioner.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the Senate bill to provide more effectually for the collection and disposition of fines and penalties, reported the same back without amendment, and the bill was referred to the committee of the whole.

Also, from the same committee, made the following report, which was accepted and the committee discharged:

The committee to whom was referred the petition of Lyman Selick, praying for authority to convey certain land, have had the same under consideration, and directed me to report that no legislation is necessary. The petitioner has a perfect remedy in a court of chancery.

Also, from the same committee, submitted the following report, which was not accepted:

The committee to whom was referred a communication of Peter Easterly, Esq. to the Hon. F. Livermore, have had the same under consideration and directed me to report that no legislation on the subject is necessary; and the written reasons for their report are contained in the communication, to which they beg leave to refer.

Mr. Shurtz, from the committee on roads and bridges, made the following report, which was accepted and the committee discharged:

The committee on roads and bridges, to whom was referred a petition about a rod long from the citizens of Branch county, praying that an act be passed requiring the commissioners of highways to apply and expend all the money and labor derivable from non-resident lands for highway taxes for two years ensuing the passage of said act, upon the state road running from Coldwater to Centreville.

Your committee have had the same under consideration, and have come to the conclusion to report the following bill and recommend its passage.

The "bill for the appropriation of certain highway taxes for the improvement of the state road leading from Coldwater to Centreville," was read twice, referred to the committee of the whole and ordered printed.

Also, from the same committee, to whom was referred two petitions of citizens of Eaton county, for laying out a state road and for altering the Clinton road, reported "a bill to provide for laying out a state road and for other purposes;" which was read twice, referred to the committee of the whole and ordered printed.

Mr. Saunders, from the select committee appointed for that purpose, reported "a bill to establish the county of Washington," which was read twice, referred to the committee of the whole and ordered printed.

Mr. Snell, from the select committee to whom was referred sundry petitions of citizens of Oakland county, asking the legislature to grant a charter to a company to construct a plank road from Royal Oak to Rochester, reported "a bill to incorporate the Rochester and Royal Oak plank road company;" which was read twice, referred to the committee of the whole and ordered printed.

Mr. Knight, from the select committee, to whom was referred sundry petitions for an appropriation for the improvement of Grand River, submitted a report, accompanied by a joint resolution.

The report was read, and

On motion of Mr. Livermore, 500 extra copies were ordered to be printed.

The joint resolution relative to the improvement of Grand River, was read twice, referred to the committee of the whole and ordered printed.

Mr. Joslin, from the committee on internal improvement, to whom was referred the Senate "joint resolution, relative to the claims of C. W. Chapel and John F. Hamlin," reported the same back, and stated that no reason had been discovered by the committee why it should pass.

The joint resolution was referred to the committee of the whole.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Joslin moved that 200 copies of the report of the committee on banks and incorporations relative to the incorporation of a bank in Jackson county, be ordered printed.

Mr. McLeod moved to amend the motion by substituting the following, which amendment was lost:

*Resolved*, That one thousand extra copies of the report of the committee on banks and incorporations be printed, as follows:

500 in the English language; 250, in the French language; 125 in the German language; 100 in the Chippewa, and 25 in the hieroglyphics of the Potowatomies.

The question recurring on the motion to print 200 copies, it prevailed.

Mr. Ferguson asked and obtained leave of absence for Mr. Dunham for two days.

Mr. Joslin gave notice that he should to-morrow ask leave to bring

in a bill making appropriations for the completion of the central railroad to the village of Kalamazoo.

Mr. McLeod asked and obtained leave of absence for Mr. Schoolcraft for the remainder of the session.

Mr. Shurtz, in pursuance of previous notice, asked and obtained leave to introduce a "bill to remove the restrictions in the practice of law, and to regulate attorneys in the several courts of record of this state;" and Messrs. Shurtz, Murphy and Ames were appointed a committee to bring in a bill.

Mr. Lamond, pursuant to previous notice, asked and obtained leave to introduce a "bill to improve the navigation of Flint river," and Messrs. Lamond, Livermore and Pratt were appointed a committee to bring in the bill.

Mr. Porter asked and obtained leave of absence for Mr. Lamond, for to-day.

The "bill relative to convict labor in the state prison" was then read a third time and passed by yeas and nays as follows :

## YEAS.

Mr. Baldwin,	Mr. Livermore,	Mr. Saunders,
Blindbury,	McLeod,	Snell,
Chester,	O. Miller,	Videto,
Davis,	Murphy,	Vickery,
Delamatter,	R. D. Power,	Van Huse,
Hebard,	Porter,	H. N. Walker,
Knowlton,	Pratt,	White,
Lamond,	Ruehle,	Speaker,
Leland,	Rowland,	

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## NAYS.

Mr. Adams,	Mr. Joslin,	Mr. Rix,
Ames,	Knight,	Runyan,
Barnard,	H. L. Miller,	Sheldon,
Ferguson,	Mosher,	Stone,
Griffin,	Parmelee,	Tillson,
M. Hall,	P. Power,	D. C. Walker,
Haydon,		

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The Speaker announced the following communication from the Executive :

EXECUTIVE OFFICE, }  
 Detroit, February 7, 1844. }

*To the House of Representatives :*

In compliance with the resolution of the House of Representatives of the 6th instant, I herewith transmit copies of the communications

of Adjutant General Roberts, transmitted from Washington and relating to the arms claimed by the state.

JNO. S. BARRY.

The communications were read and laid on the table.

The House then went into committee of the whole on the "bill authorizing the receipt of the obligations of this state for university lands," Mr. H. L. Miller in the chair, and after a short time spent thereon, the committee rose, and by their chairman reported the bill back with amendments in which the concurrence of the House was asked.

The amendments were concurred in.

Mr. Murphy moved to amend the bill by striking out the words "one hundred thousand" in the fifth line of section 1, and inserting "fifty thousand," which amendment was lost.

Mr. H. L. Miller moved to amend by striking out all after the word "which" in the third line of section 1, to the word "provided" in the fifth line.

Mr. Joslin moved to amend the amendment by striking out all after the word "sold" in the 4th line of section 1, to the word "provided" in the fifth line, which amendment prevailed, and the amendment as amended was then withdrawn.

On motion of Mr. D. C. Walker,

All after the word "lands," in the sixth line of section 1, was stricken out.

Mr. H. L. Miller moved to amend by adding at the end of section 1, the words "and provided further, that the full amount of the price of each purchase, shall be paid at the time the purchase is made."

Mr. Joslin moved to amend the amendment by striking out the word "shall," and inserting "may," and the amendment as amended was adopted.

Mr. Vickery moved to amend by inserting between the words "which" and "may," in the third line of section 1, the words "have been sold, and on which instalments are still due, and which," pending which

On motion of Mr. Pratt, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Dunham, Lamond and Schoolcraft were absent on leave, and Messrs. Adams, Ames, Baldwin, Berry, Delamatter, Fairfield, M. Hall, Hawley, Haydon, McLood, Murphy, R. D. Power, and Sheldon, absent without leave.

Mr. Parmelee asked for and obtained leave of absence for Mr. Murphy for one hour.

Mr. Chester for Mr. Berry for one day.

Mr. Pratt for Mr. Fairfield till Friday.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Detroit, February 7, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills, which the Senate have passed, and respectfully ask the concurrence of the House therein:

“A bill for the encouragement of agriculture;”

“A bill to amend an act entitled ‘an act to incorporate the Grand Rapids bridge company;’” and,

“A bill for the reorganization of the trustees of certain societies of the Methodist Episcopal church.”

JAS. E. PLATT,  
*Secretary of the Senate.*

The “bill to amend an act entitled ‘an act to incorporate the Grand Rapids bridge company,’” was read twice and referred to the committee on banks and incorporations.

The “bill for the reorganization of the trustees of certain societies of the Methodist Episcopal church,” was read twice and referred to the committee on the judiciary.

The “bill for the encouragement of agriculture,” was read twice and referred to the committee on agriculture and manufactures.

The House then took up the “bill authorizing the receipt of the obligations of this state in payment of university lands,” and the question being on the amendment offered by Mr. Vickery, it was decided in the negative, by the following vote:

YEAS.

Mr. Adams,

Mr. Ferguson,

Mr. Runyan,

Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Chester,  
Davis,

Griffin,  
Knowlton,  
H. L. Miller,  
P. Power,  
Pratt,

Shurtz,  
Snell,  
Vickery,  
White,  
Speaker,

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## NAYS.

Mr. H. Hall,  
M. Hall,  
Hebard,  
Josiin,  
Knight,  
Leland,  
Livermore,  
McLeod,  
O. Miller,

Mr. Mosher,  
Parnelee,  
R. D. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,

Mr. Saunders,  
Sheldon,  
Stone,  
Tillson,  
Videto,  
Van Husean,  
D. C. Walker,  
H. N. Walker,

25

Mr. H. L. Miller moved to amend by striking out all after the word amount, in the second line of the second section, and inserting "of the lands sold, and the price paid, of both principal and interest, and the amount contracted to be paid, and still remaining due, and thereupon he shall credit the university fund with the entire sum paid, and contracted to be paid," which motion was lost.

Mr. Joslin moved the previous question, which was not sustained.

Mr. R. D. Power moved to strike out all after the enacting clause, and insert "that the state receive of the university lands at \$12 per acre, to be selected by the commissioner of the land office, an amount equal to the indebtedness of the university fund to the state, and from and after the selection of said land by said commissioner, that said fund shall be discharged from all liability to the state, on account of the university loan of \$100,000," which motion was lost.

Mr. Porter moved the previous question, which was sustained, and the question being, shall the main question be now put, it was decided in the negative, and the bill consequently lays on the table till tomorrow.

The House then went into committee of the whole on the general order, Mr. D. C. Walker in the chair, and after some time spent thereon the committee rose, and by their chairman reported that they had had under consideration a "bill to extend the time for the completion of the Havre Branch railroad," a "bill to amend the charter of the city of Monroe," which they reported back without amendment, and a "bill to amend the act providing for the final adjustment of all unsettled claims for damages growing out of the internal im-



provements of this state," and a "joint resolution relative to a visitation of the state prison," which they reported back with amendments, in which the concurrence of the House was asked, and a "bill to incorporate the Detroit and Birmingham plank road company," in which they had made some progress, and asked leave to sit again thereon. Leave was granted.

The "bill to extend the time for the completion of the Havre Branch railroad," was ordered to be engrossed for a third reading.

The amendments to the "bill to amend the act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of this state," were then concurred in.

Mr. H. N. Walker moved to amend by striking out all after the words "any time" in the second section, which motion prevailed.

On motion of Mr. Ramsdell the House adjourned.

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*Thursday, February 8, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Dunham, Fairfield and Schoolcraft, were absent on leave, and Mr. P. Power absent without leave.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Adams, of sundry inhabitants of Branch and St. Joseph counties, asking certain privileges set forth in the petition. Referred to the committee on the judiciary.

By Mr. Baldwin, of twenty-two citizens of the county of Oakland, for the incorporation of the Alphadelphia association. Laid on the table.

By Mr. Ames, of one hundred and fifty citizens of Berrien county, praying that the university fund may be added to the primary school fund. Referred to the committee on education.

By Mr. White, of inhabitants of Ionia county, for an alteration of the limits of the townships of Keene and Boston. Referred to the committee on the organization of towns and counties.

By Mr. Ramsdell, the claim of Samuel Clements, for services as

Inspector of the seventh regiment, fourth brigade, second division of Michigan militia.

On motion of Mr. Vickery, the claim was referred to the committee on militia.

REPORTS.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to extend the time for the completion of the Havre branch railroad."

Mr. Shurtz, from the select committee appointed for that purpose, reported "a bill to remove the restrictions in the practice of law, and to regulate attorneys in the several courts of record of this state;" which was read twice and ordered printed, when

Mr. Shurtz moved that it be referred to the committee of the whole.

The question being on suspending the rule, so that such reference could be made, it prevailed by yeas and nays, as follows:

YEAS.

Mr. Adams	Mr. Livermore,	Mr. Saunders,
Ames	O. Miller	Sheldon,
Barnard	H. L. Miller	Shurtz
Chester	Murphy	Stone
Ferguson	R. D. Power	Tillson,
H. Hall,	Porter,	Vickery,
M. Hall,	Ramsdell,	Van Husean,
Hawley,	Ruehle,	D. C. Walker
Haydon,	Rix,	H. N. Walker,
Joslin,	Runyan	White,
Leland,		

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NAYS,

Mr. Baldwin	Mr. Hebard	Mr. McLeod,
Berry	Knight,	Parmelee,
Blindbury	Knowlton	Snell
Delamatter,	Lamond,	Videto,
Griffin		

13

The bill was then referred to the committee of the whole.

Mr. Lamond, from the select committee appointed for that purpose, reported "a bill to improve the navigation of Flint river;" which was read twice, referred to the committee on internal improvement, and ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Baldwin moved to take up the joint resolution relative to adjournment, which motion prevailed, by the following vote:

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawloy,

Mr. Haydon,  
Hebard,  
Knight,  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
O. Miller,  
H. L. Miller,  
Mosher,  
Parmelee,  
R. D. Power,

Mr. Porter,  
Pratt,  
Ramsdell,  
Rix,  
Rowland,  
Runyan,  
Sheldon,  
Snell,  
Stone,  
Tillson,  
Vickery,  
Van Huse,

37

## NAYS.

Mr. Delamatter,  
Joslin,  
McLeod,

Mr. Murphy,  
Ruehle,  
Videto,

Mr. D. C. Walker,  
H. N. Walker,  
White, 9

The joint resolution being before the House, Mr. H. L. Miller moved to strike out "8th day of February," and insert "Monday next:"

Mr. D. C. Walker called for a division of the question, and the question being on striking out, it prevailed.

The question recurring on the motion to insert Monday next,

Mr. D. C. Walker moved to insert "the first day of March;" pending which,

On motion of Mr. Pratt, the motion was laid on the table.

Mr. Pratt gave notice that he should, on some future day, ask leave to introduce a bill to amend an act for the relief of certain settlers on the university lands in the county of Oakland, approved March 9, 1843."

Mr. D. C. Walker gave notice that upon some future day, he should ask leave to introduce a "bill to incorporate the Detroit and Port Huron plank road company."

Mr. Rix moved that the militia bill be made the special order for Monday next.

Mr. H. L. Miller moved to amend the motion, by making it the special order for the first day of March next, which amendment was lost by yeas and nays as follows :

## YEAS.

Mr. Baldwin,  
Blindbury,

Mr. H. L. Miller,  
Murphy,

Mr. Vickery,  
H. N. Walker, 6

## NAYS.

Mr. Adams,	Mr. Joslin,	Mr. Pratt,
Ames,	Knight,	Rix,
Barnard,	Knowlton,	Rowland,
Berry,	Lamond,	Runyan,
Chester,	Leland,	Saunders,
Davis,	Livermore,	Sheldon,
Delamatter,	McLeod,	Shurtz,
Ferguson,	O. Miller,	Snell,
Griffin,	Mosher,	Stone,
H. Hall,	Parmelee,	Tillson,
M. Hall,	R. D. Power,	Videto,
Hawley,	Porter,	Van Husen,
Haydon,	Ramsdell,	D. C. Walker,
Hebard,	Ruehle,	White, 42

The question recurring on the motion to make the bill the special order for Monday next,

On motion of Mr. Rowland, the motion was laid upon the table.

Mr. R. D. Power, pursuant to previous notice, asked and obtained leave to introduce a "bill authorizing sheriffs to execute process issuing from justices' courts, and for other purposes," and Mr. R. D. Power, Shurtz and Sheldon were appointed a committee to bring in the bill.

Mr. Videto, in pursuance of previous notice, asked and obtained leave to introduce a "bill relative to recorded but unincorporated village plats," and Messrs. Videto, M. Hall and Davis, were appointed a committee to bring in the bill.

Mr. Mosher gave notice that on some future day he should ask leave to introduce a "bill to authorize the taking of depositions to be used before arbitrations and referees."

The House then took up the unfinished business.

The "bill to amend the act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of this state" was ordered to be engrossed, for a third reading.

The "joint resolution relative to the visitation of the state prison by a committee of the legislature" being before the House, the amendment made in committee of the whole, striking out all after the resolving clause, was concurred in, and,

On motion of Mr. Videto, the resolving clause was indefinitely postponed.

The "bill to amend the charter of the city of Monroe" was ordered to be engrossed for for a third reading.

The House then resolved itself into committee of the whole on the general order, Mr. Pratt in the chair, and after some time spent thereon, the committee rose, and by their Chairman reported that they had had under consideration "a bill making appropriation for the payment of extra expenses incurred by the adjutant general," which they reported back without amendment, and a "bill to lay out and establish a state road from Tuscola to Lower Saginaw," which they reported back with amendments, in which the concurrence of the House was asked.

The "bill making an appropriation for the payment of extra expenses incurred by the Adjutant General," was ordered to be engrossed for a third reading.

The amendments to the "bill to lay out and establish a state road from Tuscola to Lower Saginaw" were concurred in, and the bill ordered to be engrossed for a third reading.

The Speaker on leave, presented the claim of Morgan Bates.— Referred to the committee on claims.

Also two petitions of inhabitants of Branch county, for the passage of a law for the better protection of personal liberty. Laid on the table.

Also two petitions of inhabitants of the county of Branch, for an amendment to the second article of the constitution by expunging therefrom the word "white." Referred to judiciary committee.

Mr. Joslin moved an adjournment.

Mr. McLeod moved to amend the motion by adjourning till ten o'clock to-morrow morning, which amendment did not prevail.

The question then recurring on the motion to adjourn, it prevailed.

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*Afternoon Session.*

*February 8, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Dunham, Fairfield and Schoolcraft were absent on leave, and Messrs. M. Hall, Murphy, P. Power and Sheldon, absent without leave.

Mr. Snell asked and obtained leave of absence for Mr. P. Power, till Friday.

On motion of Mr. Pratt,

The House resolved itself into committee of the whole on the "bill to incorporate the Detroit and Birmingham plank road company," Mr. D. C. Walker in the chair, and after some time spent thereon, the committee rose and by their chairman, reported back the bill with sundry amendments, in which the concurrence of the House was asked.

The amendments were concurred in.

On motion of Mr. Pratt,

The word "fifty" was stricken out of the first line of the second section and the word "sixty" inserted.

Mr. Joslin moved to insert the words "or repealed," after the word "modified," which motion, after some discussion was withdrawn.

The bill was then ordered to be engrossed for a third reading by the following vote:

#### YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Ruehle,
Ames,	Hebard,	Rix,
Barnard,	Knowlton,	Rowland
Baldwin,	Lamond,	Saunders,
Berry,	Livermore,	Sheldon,
Blindbury,	McLeod,	Snell,
Chester,	O. Miller,	Stone,
Davis,	H. L. Miller,	Videto,
Delamatter,	Murphy,	D. C. Walker,
Ferguson,	Parmelee,	H. N. Walker,
Griffin,	R. D. Power,	White,
M. Hall,	Pratt,	Speaker,
Hawley,		

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#### NAYS.

Mr. H. Hall,	Mr. Leland,	Mr. Ramsdell,
Joslin,	Mosher	Vickery,
Knight,	Porter,	Van Huse n,

9

On motion of Mr. Haydon, the House adjourned.

*Friday, February 9, 1844.*

The House met pursuant to adjournment.

On calling the roll, Messrs. Dunham, Fairfield and Schoolcraft, were absent on leave, and Messrs. Leland, Saunders, Stone and D. C. Walker, absent without leave.

Prayer by Rev. Mr. Harrison.

Mr. Mosher asked and obtained leave of absence for Mr. Stone, for one hour.

Mr. Chester for Mr. Fairfield, for one day.

Mr. H. Hall for Mr. Leland, till Tuesday.

Mr. Hawley for Mr. Saunders till Monday.

The journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Videto, of Henry Francisco, for compensation for the right of way. Referred to the committee on internal improvement.

By Mr. Ames, of one hundred citizens of Berrien county, asking the legislature to take into consideration the propriety of reducing the price of university and primary school lands, and offering them at public auction. Laid on the table.

By Mr. Runyan, of Sherman Hawley and fifty-nine others, asking that in case of the sale of the Southern and Central railroads, the Southern road shall intersect St. Joseph river at the village of Constantine. Referred to the committee on internal improvement.

By Mr. Lamond, of one hundred and fifty-one inhabitants of the county of Genesee, for an appropriation of lands to improve the navigation of the Flint river. Laid on the table.

#### REPORTS.

Mr. Videto, from the committee on agriculture and manufactures, to whom was referred the Senate bill for the encouragement of agriculture, reported the same back without amendment and recommended its passage.

The report was accepted and the bill referred to the committee of the whole.

Mr. Ramsdell, from the committee on the judiciary, reported "a bill to attach the counties of Kent and Ottawa to the third judicial circuit of the supreme court," which was read twice, referred to the committee of the whole and ordered printed.

Mr. Vickery, from the committee on claims, made the following report, which was accepted, and the committee discharged:

The committee on claims, to whom was referred the claims of sundry officers of the militia, for services on a brigade court martial, for the trial of captains Beard and Redmon; respectfully report:

That they have duly considered the same, and not being informed at what time, or in what place the said court martial assembled, and being also ignorant of any law requiring the state to pay for such services, have instructed me to report the said claims back to the House, and ask to be discharged from any further consideration of the same.

Also, from the same committee, made the following report, which was accepted and the committee discharged:

The committee on claims have had under consideration the petition of Thomas Martin, from which it appears, that, in November, 1839, he contracted to finish sections 3, 5 and 14, on the 4th division of the central railroad; and that the estimates, according to the statement of Robert H. Murray, accompanying said petition, amounted in the whole, to \$11,595 43-100, which he received at different periods in Michigan Bank paper. The petitioner avers that he repeatedly objected to that kind of money, but was told by Mr. Thompson, acting commissioner that he must take such, because he had nothing else to pay. The petitioner further sets forth that the market value of said paper, during the period in which the payments were made, was only 87½ cents on the dollar; and he therefore claims 12½ per cent on the entire sum, as damages, that being the difference between the current and nominal worth of it at that time.

Your committee believe that Mr. Martin, by accepting payment, though in depreciated funds, forfeited his claim to damages, and therefore ask to be discharged from the further consideration of the subject.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to amend an act entitled an act to incorporate the city of Monroe," the "bill to amend an act providing for the final adjustment of all unsettled claims for damages, growing out the internal improvements of this state;" the "bill to lay out and establish a state road from Tuscola in the county of Tuscola, to Lower Saginaw," and a "bill making appropriations for extra expenses incurred by the adjutant general."



Mr. Ramsdell, from the committee on the judiciary, to whom was referred the Senate "bill for the re-organization of the trustees of certain societies of the methodist episcopal church," with an amendment, in which the concurrence of the House was asked.

The report was accepted, and the bill and amendment referred to the committee of the whole.

Also, from the same committee, made the following report, which was accepted, and the committee discharged.

The committee to whom was referred a "bill to amend title 4, part 3, chapter 4, of the revised statutes, relative to reversal and arrest of judgments," have had the same under consideration, and directed me to report the same back without amendment and recommend that it be not passed.

The bill proposes to extend the time for bringing writs of error, for the reversal of judgments, from two to four years.

Your committee can conceive of no possible reason for this change of the law. Parties or their attorneys almost universally know, at the time of the trial whether any error is committed by the court on the trial, or by the party in bringing his action, and if any error in either, which affects the merits of the cause, it is immediately taken advantage of. It is important for litigant parties to know as soon as possible that their legal rights are definitely settled, and that the records of the courts should furnish certain evidence what their rights are. Errors in substance will rarely if ever be suffered long to remain unnoticed. But your committee fear, that if the time as is proposed by this bill should be extended, it would tend to induce suitors, craftily to permit technical errors to pass unnoticed at the time of the trial, for the purpose of afterwards taking advantage of them, in order to compel the opposite party to submit to unequal terms rather than to have the proceedings reversed, and be compelled to pay costs.

The "bill to amend title 4, part 3, chapter 4, of the revised statutes, relative to reversal and arrest of judgment" was referred to the committee of the whole.

Mr. Pratt, from the committee on enrollment and engrossment, reported as correctly engrossed the "bill to incorporate the Detroit and Birmingham plank road company."

Mr. Videto, from the select committee appointed for that purpose, reported "a bill relative to the streets of recorded but unincorporated

village plats," which was read twice, referred to the committee of the whole and ordered printed.

• **MOTIONS, RESOLUTIONS, AND NOTICES.**

Mr. Joslin offered "a joint resolution in relation to the tariff on railroad iron," which was read twice and referred to the committee of the whole.

Mr. M. Hall gave notice that, on to-morrow, he should ask leave to introduce a bill to lay out and establish a state road from the village of Battle Creek, in the county of Calhoun, to the village of Schoolcraft, in the county of Kalamazoo.

Mr. Pratt, pursuant to previous notice, asked and obtained leave to introduce "a bill to amend 'an act for the relief of certain settlers on university land in the county of Oakland,' approved March 9, 1843," and Messrs. Pratt, M. Hall and Mosher, were appointed a committee to bring in the bill.

Mr. Van Husan, in pursuance of previous notice, asked and obtained leave to introduce "a bill to amend an act entitled 'an act to amend section three of an act entitled an act to repeal a part of chapter eight, title five, part first of the revised statutes and for other purposes,' approved February 17, 1842," and Messrs. Van Husan, McLeod and Sheldon, were appointed a committee to bring in the bill.

On motion of Mr. Ramsdell, Thomas Martin had leave to withdraw his claim.

Mr. P. Power gave notice that, at some future day, he should ask leave to introduce a bill to incorporate the Utica female seminary.

On motion of Mr. Joslin,

The claim of C. W. Chapel was taken from the table and referred to the committee on internal improvement.

The "bill to amend the charter of the city of Monroe," was read a third time and passed, by the following vote:

**YEAS.**

Mr. Adams,  
Ames,  
Baldwin,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Ferguson,

Mr. Knight,  
Knowlton,  
Lamond,  
Livermore,  
McLeod,  
O. Miller,  
Mosher,  
Murphy,

Mr. Ruehle,  
Rix,  
Rowland,  
Runyan,  
Sheldon,  
Snell,  
Stone,  
Tillson,

Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,

Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,

Vickery,  
Van Husan,  
H. N. Walker,  
White,  
Speaker,

40

## NAYS.

Mr. Joslin,

Mr. H. L. Miller,

2

The "bill to amend 'an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of the state;'"

The "bill to lay out and establish a state road from Tuscola, in the county of Tuscola, to Lower Saginaw, in the county of Saginaw;" and,

The "bill making appropriations for extra expenses incurred by the adjutant general," were severally read a third time and passed.

On motion of Mr. Pratt,

The vote was reconsidered by which the "bill to extend the time for the completion of the Havre branch railroad" was passed, and the question then being on the passage of the bill, it was passed, by the following vote:

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Ferguson,  
Griffin,  
H. Hall,  
Hawley,  
Haydon,  
Hebard,

Mr. Joslin,  
Knight,  
Knowlton,  
Lamond,  
Livermore,  
McLeod,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,

Mr. Pratt,  
Rix,  
Rowland,  
Runyan,  
Sheldon,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
H. N. Walker,  
White,  
Speaker,

43

## NAYS.

Mr. Ramsdell,

Mr. Ruehle,

2

The House then took up the unfinished business, being the "bill authorizing the receipt of the obligations of this state in payment for university lands," and it was ordered to be engrossed for a third reading.

The House resolved itself into committee of the whole on the general order, Mr. Rowland in the chair, and after some time spent thereon, the committee rose, and, by their chairman, reported that they had had under consideration "a bill to provide for laying out and discontinuing public and private roads," to which they had made sundry amendments, in which the concurrence of the House was asked; and "a joint resolution instructing the commissioner of the land office to investigate the claim of school district No. 3, in the township of Kalamazoo," which they reported back without amendment.

The amendments to the "bill to provide for laying out and discontinuing public and private roads," were concurred in.

Mr. Murphy moved to strike out all after the enacting clause; pending which,

On motion of Mr. White,

Section five was amended by striking out of the fifth line the word "township," and inserting "county."

On motion of Mr. White,

Section seven was amended, by adding to the end thereof, the following:

"Whenever a public highway is desired by inhabitants of one township, through an adjoining township, and the inhabitants of said township refuse or neglect to lay out said highway, it shall be the duty of the supervisors of the county, upon the application of twelve or more legal voters of the county, to examine the proposed route, and lay out a highway through said township, if in their judgment the public good require it, notice to be given to owners or occupants of the lands through which said highway is to pass, as herein before provided; said supervisors to have all the authority and shall perform all the duties of a jury as herein before provided."

On motion of Mr. Parmelee, the proviso to the 11th section was stricken out.

Mr. Livermore moved an adjournment which was lost.

On motion of Mr. Sheldon, the 18th section was amended by inserting between the word "cases" in the second line, and the word "and" in the third line, the words "and the fees of the surveyor shall be two dollars per day, which shall be in full for his services."

The question recurring on the motion to strike out all after the enacting clause it did not prevail, and the bill was ordered to be engrossed for a third reading.

On motion of Mr. McLeod, the vacancy in the committee on federal relations, occasioned by the absence of Mr. Schoolcraft, was ordered to be filled.

The joint resolution relative to school district No. 3, in the township of Kalamazoo was ordered to be engrossed for a third reading.

The Speaker announced the following communication from the Executive :

EXECUTIVE OFFICE, }  
Detroit, Feb, 8, 1844. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of Secretary of State "an act to amend an act entitled an act authorizing William W. Bliss, administrator of Hervey Bliss deceased, to convey certain real estate, approved February 22, 1843."

JNO. S. BARRY.

The following communication was received from the Senate:

SENATE CHAMBER, }  
February 9, 1843. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the House substitute to the Senate "bill to provide for the payment of jurors and for other purposes," and to inform the House that the Senate have concurred therein with amendments in which the concurrence of the House is respectfully asked.

JAMES E. PLATT,  
*Secretary of the Senate.*

The Senate amendments to the substitute were severally concurred in by the House.

On motion of Mr. Porter, the House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment.

On calling the roll, Messrs. Dunham, Fairfield, Leland, Saunders, and Schoolcraft were absent on leave, and Messrs. Barnard, Delamatter, M. Hall, Haydon, Lamond, Livermore, McLeod, P. Power, R. D. Power, Vickery and H. N. Walker, were absent without leave.

Mr. Baldwin asked leave of absence for Mr. P. Power for one hour which was not granted.

Mr. Ramsdell asked leave of absence for Mr. McLeod for an hour which was refused.

On motion of Mr. Videto,

A call of the House was had, when Messrs. Barnard, McLeod, P. Power, R. D. Power and H. N. Walker were absent.

On motion of Mr. D. C. Walker, the sergeant-at-arms was sent for the absentees.

Mr. Porter asked and obtained leave of absence for Mr. Lamond for the afternoon.

Mr. Ferguson for Mr. Dunham till Monday next.

Mr. Rowland asked leave of absence for Mr. H. N. Walker, which was not granted.

On motion of Mr. D. C. Walker, all further proceedings under the call were dispensed with.

The House then resolved itself into committee of the whole on the general order, Mr. Joslin in the chair, and after some time spent thereon the committee rose and by their chairman reported that they had had under consideration a "bill to amend the act incorporating the village of Jackson," and a "bill to provide for the appropriation of certain non-resident highway taxes to the construction and improvement of a state road from Marshall to Ionia," which they reported back with amendments, in which the concurrence of the House was asked, a "bill to lay out, establish and provide for the construction of a state road from Kalamazoo to South Haven," and a "bill to lay out and establish a state road from Hastings to Grand Rapids, which they reported back without amendment, and a "bill to amend an act to provide for the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners and for other purposes," approved March 9, 1843, in which they had made some progress, and asked leave to sit again thereon. Leave was granted.

The "bill to lay out, establish and provide for the construction of a state road from Kalamazoo to South Haven," was ordered to be engrossed for a third reading.

The amendments to the "bill to amend the act incorporating the village of Jackson," and the "bill to provide for the appropriation of certain non-resident highway taxes to the construction of a state road from Marshall to Ionia," were concurred in, and the bills severally ordered to be engrossed for a third reading.

The "bill to lay out, establish and provide for the construction of a state road from Hastings to Grand Rapids," was,

On motion of Mr. Parmelee, laid on the table.

Mr. H. N. Walker asked for leave of absence for Mr. Rowland till Tuesday, which was refused.

Mr. D. C. Walker for Mr. Joslin for to-morrow. Granted.

Mr. Shurtz, on leave, presented the petition of Daniel Bush and 50 others, for the passage of a law, leaving it discretionary with the inhabitants of townships to grant license for the sale of ardent spirits. Referred to a select committee consisting of Messrs. Shurtz, P. Power, and D. C. Walker.

Mr. Runyan, on leave, presented the petition of Norman Hervey, and 111 others, praying that in case of the sale of the public works, the southern railroad shall intersect the St. Joseph river at the village of Constantine. Referred to the select committee to whom the "bill to incorporate the Michigan railroad company," &c. was referred.

On motion of Mr. Livermore,

*Resolved*, That when this House adjourn it will adjourn till Monday morning.

The Speaker appointed Mr. McLeod to fill the vacancy in the committee on federal relations occasioned by the absence of Mr. Schoolcraft.

On motion of Mr. Chester,

The vote was reconsidered by which the House refused to grant leave of absence to Mr. Rowland, and the question recurring on the motion to grant him leave of absence till Tuesday next, it prevailed.

On motion of Mr. Ramsdell, the House adjourned.

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*Monday, February 12, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Dunham, Leland, Rowland and Schoolcraft were absent on leave, and Messrs. Blindbury, Hebard, Joslin, Ramsdell, Stone and Tillson absent without leave.

Prayer by the Rev. Mr. Billings.

The journal of Friday was read and approved.

Mr. Porter asked and obtained leave of absence for Mr. Hebard till to-morrow.

Mr. Hawley for Mr. Blindbury till this afternoon.

Mr. Mosher for Mr. Stone for the same time.

Mr. Murphy for Messrs. Joslin and Ramsdell for the same time, and for Mr. Dunham till to-morrow.

#### PETITIONS.

By Mr. Parmelee, of citizens of Prarieville, Barry county, asking to have the name of said township changed. Referred to the committee on the organization of towns and counties.

Also, of Willard Hays, and 62 others, of Barry county, for the passage of a law for the preservation of deer. Referred to a select committee, consisting of Messrs. Parmelee, Mosher and White.

By Mr. Mosher, ten petitions, signed by 190 legal voters of the county of Lenawee for an act of incorporation for a company to construct a plank road from Blissfield to the state line. Referred to the committee on banks and incorporations.

By Mr. Vickery, of 112 citizens of Kalamazoo county, asking an appropriation of two thousand dollars on the Kalamazoo river. Referred to the committee on internal improvement.

By Mr. P. Power, of Wm. Hemingway and 24 others, for the appointment of commissioners to alter a certain territorial road in Oakland county. Referred to the committee on roads and bridges.

By Mr. H. Hall, of Patrick Kilfoil for damages sustained on the central railroad. Referred to the committee on claims.

By the Speaker, the memorial of Thomas McClelland, of the city of Philadelphia, asking of the state the payment of the balance due him for painting the portrait of Governor Cass in 1831. Referred to the committee on claims.

By Mr. Lamond, two petitions of 69 inhabitants of Genesee county, for an appropriation of lands to improve the navigation of the Flint River. Laid on the table.

By Mr. Murphy, of sundry citizens relative to a certain state road. Referred to the committee on roads and bridges.

By the Speaker, the memorial of sundry citizens of the county of Allegan, for the appropriation of highway taxes for the construction of a state road from Allegan to Grandville, in Kent county. Referred to the committee on roads and bridges.



## REPORTS.

Mr. Vickery, from the committee on claims, made the following report, accompanied by a bill :

The committee on claims have had under consideration, and recommend the acceptance of the following claims, which they have incorporated into the appropriation bill, viz :

Claim of Sheldon McKnight, for printing 6 reams foolscap circulars, of "an act to amend the several acts incorporating the militia, approved April 13, 1841," certified by the adjutant general to have been done pursuant to a contract made between him and said McKnight, \$41.00.

Claim of Nicholas Snyder, for 13½ cords of wood, certified to be correct by secretary of state, \$5.94.

Claim of Nicholas Snyder for sawing and splitting (in December, 1843,) 11 cords of wood twice in two, and 26½ cords once in two; \$7.07, certified to be correct by the secretary of state.

Claim of John McReynolds, for 30½ cords of wood piled in yard; \$55.69, certified to be correct by secretary of state.

Claim of A. McFarren, for stationery furnished the office of the auditor general, who certifies to its correctness, \$37.68.

Claim of James J. Butler, for seal press, furnished the clerk of the supreme court, in 1842, \$20, certified to by W. T. Young, deputy clerk of said court.

Claim of A. W. Hovey, for "Observer," sent E. T. Chester 60 days, from January 1, 1844, \$1.00.

Claim of H. N. Strong, for four days' attendance as witness before the Senate committee on finance, in April, 1841, pending the investigation of the five million loan, \$8.00, certified to by secretary of said committee.

Claim of J. Saunders, for damage done to stove, and loss of its furniture, on Central railroad, in November, 1841, eight 26-100 dollars.

Claim of George Davis, for balance due him for work done on a house in Ypsilanti, the property of the State, \$238.69.

Claim of Thomas D. Gilbert, for ninety four 19-100 dollars, the amount in damages recovered against him in the circuit court of Ottawa county, for selling, on the 29th day of March, 1841, and by virtue of an execution directed to him as sheriff of said county, goods and

chattles, without appraisal, and contrary to an act of the Legislature, approved the 27th day of March, 1841, only two days previous to the said sale, which act took effect from and after its passage.

The report was accepted, the committee discharged, and the "bill making appropriations to defray certain expenses authorized for the year eighteen hundred and forty-four," was read twice, referred to the committee of the whole and ordered printed.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed,

"A bill for laying out and discontinuing public and private roads;"

"A bill to provide for the appropriation of certain non-resident highway taxes to the construction and improvement of a state road from Marshall to Ionia;"

"A bill to amend 'an act to incorporate the village of Jackson,' approved March 7, 1843;" and

"A joint resolution instructing the commissioner of the land-office to investigate the claim of school district No. 3, in the township of Kalamazoo."

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. M. Hall, in pursuance of previous notice, asked and obtained leave to introduce "a bill to lay out and establish a state road from the village of Battle Creek, in the county of Calhoun, to the village of Schoolcraft, in the county of Kalamazoo," and Messrs. M. Hall, Vickery and Griffin, were appointed a committee to bring in the bill.

On motion of Mr. D. C. Walker,

The claim of Daniel Thurston was taken from the table and referred to the committee on claims.

Mr. Shurtz gave notice that, on to-morrow, he should ask leave to introduce a bill to repeal the first section of part 9, chapter 12, page 216 of the revised statutes, and more effectually granting license to public shows.

Mr. Runyan gave notice that, on some future day, he should ask leave to introduce a bill to assert and protect the rights of property in married women.

Mr. D. C. Walker gave notice that, on some future day, he should ask leave to introduce a bill to authorize James Miller to erect a dam across the Clinton river.

Mr. H. N. Walker gave notice that, on some future day, he should ask leave to introduce a bill to limit the amount of taxes upon the valuation of real and personal property.

Mr. H. L. Miller offered the following resolution, which, on motion of Mr. Murphy, was laid on the table:

*Resolved*, That this House will hold three sessions each day; the evening session to commence at six o'clock, P. M., until the business of the House is disposed of, and the same is ready to adjourn *sine die*.

On motion of Mr. H. L. Miller,

*Resolved*, That the committee on printing be required to report to this House forthwith the reasons, if any exist, why the communication to this House of the commissioner of the land office, on the subject of the appraisal and sale of the Frederick mill property, has not been printed as directed by the House, February 3d, 1844.

Mr. H. L. Miller moved to take from the table the motion to fill the blank in the resolution fixing the day of adjournment, which motion was lost.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Detroit, February 10, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a "bill to amend an act entitled an act to provide for [the collection of demands against boats and vessels, approved April 10th, 1839," also a "joint resolution authorizing the agent of the state prison, under the ]direction of the inspectors thereof, to procure certain machinery to be used at said prison," which the Senate have passed and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

The "joint resolution authorizing the agent of the state prison, under the direction of the inspectors thereof, to procure certain machinery to be used at said prison," was read twice and referred to the committee on the state prison.

The "bill to amend an act entitled an act to provide for the collection of demands against boats and vessels, approved April 10, 1839," was read twice and referred to the committee on the judiciary.

The "bill to incorporate the Detroit and Birmingham plank road company," was read a third time and passed by the following vote:

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,

Mr. Knowlton,  
Lamond,  
Livermore,  
McLeod,  
O. Miller,  
H. L. Miller,  
Mosher,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,

Mr. Ruehle,  
Rowland,  
Runyan,  
Saunders,  
Sheldon,  
Shurtz,  
Snell,  
Videto,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

37

## NAYS.

Mr. Knight,

Mr. Vickery,

Mr. Van Husan, 3

The "joint resolution instructing the commissioner of the land office to investigate the claim of school district No. 3, in the township of Kalamazoo," and the "bill for laying out and discontinuing public and private roads," were severally read a third time and passed.

The "bill to amend an act entitled an act to incorporate the village of Jackson, approved March 9, 1843," was read a third time and passed, by yeas and nays as follows.

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Berry,  
Chester,  
Davis,  
Delamatter,  
Fairfield,  
Griffin,  
H. Hall,  
M. Hall,

Mr. Haydon,  
Knight,  
Knowlton,  
Lamond,  
Livermore,  
McLeod,  
O. Miller,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Rowland,

Mr. Runyan,  
Saunders,  
She'don,  
Shurtz,  
Snell,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

37

## NAYS.

Mr. H. L. Miller,

Mr. Mosher,

Mr. Ruehle, 3

The "bill to provide for the appropriation of certain non-resident highway taxes to the construction and improvement of a state road from Marshall to Ionia," was read a third time and passed, by the following vote:

## YEAS.

Mr. Adams	Mr. Haydon,	Mr. Pratt,
Baldwin	Knight,	Ruehle,
Berry	Knowlton	Saunders,
Chester	McLeod,	Shurtz,
Davis,	O. Miller	Videto,
Delamatter,	H. L. Miller	D. C. Walker
Ferguson	Parmelee,	H. N. Walker,
H. Hall,	R. D. Power	White,
M. Hall,	Porter,	26

## NAYS,

Mr. Ames	Mr. Griffin,	Mr. Rowland,
Barnard	Livermore,	Sheldon.
Blindbury	Mosher,	Van Hulan,
Fairfield,	Murphy	Speaker, 12

The "bill to lay out, establish and provide for the construction of a state road from Kalamazoo to South Haven," was read a third time; and the question being on its passage, it was,

On motion of Mr. Shurtz, laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. Pratt in the chair, and after some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a "bill to amend an act to repeal a part of chapter eighth, title fifth, part first of the revised statutes, and for other purposes," which they reported back without amendment, and a "bill to amend section six of an act entitled an act to divide the several counties in this territory into townships and for other purposes, approved April 12, 1827," and a "bill to provide for the punishment of bribery and corruption in certain cases," to which they had made amendments in which the concurrence of the House was asked, and a "bill to repeal a part of the revised statutes relative to highway labor," on which they had made some progress, and asked leave to sit again thereon. Leave was granted.

The amendment to the "bill to amend section six, of an act to divide the several counties in this territory into townships, and for other purposes, approved April 12, 1827," was concurred in and the bill ordered engrossed for a third reading.

The "bill to amend an act to repeal a part of chapter eighth, title fifth, part first, of the revised statutes, and for other purposes," was

On motion of Mr. Pratt, laid on the table.

The amendment to the "bill to provide for the punishment of bribery and corruption in certain cases," was concurred in, and the bill ordered to a third reading.

The Speaker announced a message from the Executive, enclosing a communication from Alexander Vattermare, of Paris, and other documents, relative to international literary exchanges, which were read, and

On motion of Mr. Pratt,

The message and documents were referred to the committee on education, and ordered printed.

The following communication was received from the Senate :

SENATE CHAMBER, }  
Detroit, Feb. 12, 1843. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a "bill to authorize the commissioners of highways of the township of Marshall to order and direct where a portion of highway labor shall be laid out" and a "bill to amend an act entitled an act to extend the time for the collection of taxes in the counties of Genesee, Clinton, Shiawassee, Kent, Lapeer and St. Clair," which the Senate have passed and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
*Secretary of Senate.*

The "bill to authorize the commissioners of highways of the township of Marshall to order and direct when a portion of certain highway labor shall be laid out," was read twice and referred to the committee on roads and bridges.

The "bill to amend an act entitled an act to extend the time for the collection of taxes in the counties of Genesee, Clinton and Shiawassee, Kent, Lapeer and St. Clair," was read twice and referred to the committee on ways and means.

On motion of Mr. McLeod, the House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Dunham, Hebard, Leland and Schoolcraft were absent on leave, and Messrs. Adams, Ames, Barnard, Rix and Vickery, absent without leave.

The House then resolved itself into committee of the whole, on the "bill to amend an act to provide for the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners, and for other purposes, approved March 9, 1848," Mr. Joslin in the chair, and after a short time spent thereon, the committee rose, and by their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

The amendments were severally concurred in.

On motion of Mr. Ramsdell,

The word "twelve" was inserted before the word "seventeen" in the first line of section 2.

The bill was ordered to be engrossed for a third reading.

The House then went into committee of the whole. on the "bill to repeal a part of the revised statutes relative to highway labor," Mr. Pratt in the chair, and after spending a short time thereon, the committee rose, and by their chairman reported the bill back with amendments in which the concurrence of the House was asked.

The amendments were concurred in, and

On motion of Mr. Joslin, the bill was referred to a select committee.

The Speaker announced as such committee Messrs. Joslin, Chester and Adams.

Mr. H. N. Walker moved to take from the table the "bill to provide for the foreclosure of mortgages," which motion was lost.

The House then resolved itself into committee of the whole on the bill to amend an act to provide for the assessment and collection of taxes, approved March 8, 1840, and for other purposes, Mr. Livermore in the chair, and after some time spent thereon, the committee rose and by their chairman reported the bill back with sundry amendments in which the concurrence of the House was asked.

On motion of Mr. Pratt the House adjourned.

*Tuesday February 13, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Dunham, Leland and Schoolcraft were absent on leave, and Messrs. Adams and Knowlton absent without leave.

Prayer by the Rev. Mr. Billings.

The Journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Vickery, the claim of John Webster. Referred to the committee on claims.

By Mr. Fairfield, the claim of Wm. R. Powers, for fees, as clerk of the county of Lenawee. Referred to the committee on claims.

Also, the petition of seventy citizens of the village of Adrian for an alteration of the charter of said village. Referred to the committee on banks and incorporations.

By Mr. Lamond, of forty-one inhabitants of Genesee county, for an appropriation of lands for the purpose of improving the navigation of Flint river. Referred to the committee on internal improvement.

By Mr. Rix, of forty-eight inhabitants of the county of St. Clair, praying that a state road be established from St. Clair, in said county to the village of Riley. Referred to the committee on roads and bridges.

By Mr. H. N. Walker, of John Norvell and others, for the limitation of taxes to one per cent on the valuation, which, on his motion, was laid on the table and ordered printed.

By Mr. Hebard, of citizens of the counties of Lapeer and Oakland to lay out and establish a certain state road. Referred to the committee on roads and bridges.

By Mr. H. N. Walker, of J. H. Morris, relative to the railroad from Brest to Monroe. Referred to the committee on internal improvement.

#### REPORTS.

Mr. Vickery made the following reports, which were accepted and the committee discharged:

The committee on claims have had under consideration the claim of R. W. Ingals, for printing military, brigade and regimental orders, and finding no law recognizing the obligation of the state to pay for such service, and being furnished with no evidence that the printing



was done, have instructed me to report adversely, and ask to be discharged.

The committee on claims, to whom was referred the petition of Porter Kibbee, respectfully report :

It appears from the documents accompanying this claim, that John Stockton, in the latter part of the year 1839, was requested by Levi Humphrey, then acting commissioner, to superintend the works on the Clinton and Kalamazoo canal, during the absence of the latter to the city of New York; and that the services of said Stockton were estimated, by a majority of the board of internal improvement, at \$333 33, but afterwards rejected by Mr. Conant, the successor of Messrs. Humphrey and Thompson, upon the testimony of Alvin Turle, an engineer at that time in the employ of the state. It further appears that this claim was again investigated by the board of state auditors, in September last, and disallowed.

Your committee are therefore compelled to report adversely to the claim of Mr. Kibbee, the assignee of the said Stockton; not only for the reasons above stated, but because the commissioner, Mr. H., had no authority to create a deputy or superintendent, at the expense of the state, the especial trust reposed in him not being transferable.

All which is respectfully submitted, and the committee ask to be discharged.

The committee on claims have had under consideration the demand of one Thomas McClelland, for the balance due him for painting the portrait of Gov. Cass, and for which "he has never received *over* one hundred and thirty dollars."

The history of this case : In the year 1831, previous to the appointment of the Governor to the War Department, by Gen. Jackson—(a very important circumstance in the right adjustment of this claim,) the legislative council appropriated thirty dollars for a *small* picture of Gov. Cass, to be hung in the library of the state house. But a number of his *particular friends*, Messrs. Hastings, Trowbridge, Larned and others, "thinking this rather small business," engaged Mr. McClelland to draw a *full length* portrait of the Governor, worth three hundred dollars. A few months after, the council appropriated the further sum of one hundred dollars. The difference between one hundred and thirty dollars, the sum appropriated, and

three hundred dollars, the amount agreed to be given for this painting by the *particular friends*, is one hundred and seventy dollars; and this sum, at seven per cent interest, amounts, in thirteen years, to three hundred and twenty-four dollars and seventy cents, the *balance* claimed to be due.

Now, the question to be decided is, whether the state which did *not*, or the particular friends who *did*, agree to pay the three hundred dollars, shall be held responsible for this demand. The committee, unwilling to hazard an opinion upon the legal question evidently involved, have instructed their chairman to report this matter back, and ask it reference to the committee on the judiciary.

The committee on claims, to whom was referred the petition of Geo. G. Davis, report:

That, from his memorial, it seems he contracted, in 1841, to build the superstructure on the seventh section of the fifth division of the Central railroad; that he was to be paid in state scrip at the end of every month, upon the estimate of the engineer, and that of the \$2,700, or about that sum, which his estimates amounted to, he received only \$800 dollars during the period he was engaged in executing his contract. Not being able to obtain the balance when due, for want of appropriate funds in the treasury, he pledged his estimates to procure necessities, and they were sold below their market value, by which he lost, according to his own statement, about \$1,100, which is the amount claimed as damages.

That individuals holding obligations against the state, may dispose of them at pleasure and on such terms as they think proper, will not be denied; but, that the losses which may occasionally be the result of this traffic, are to be remunerated from the public purse, is a doctrine that your committee are not *altogether* prepared to acknowledge, and they beg to be discharged from the consideration of the subject.

The petitioner also claims damages for the non-fulfilment, on the part of the state, of a wood contract, made between himself and Daniel B. Brown, in 1841; but the testimony being insufficient to enable the committee to decide, ask to be discharged from this also.

The committee on claims, to whom has been referred the claim of Daniel Thurston for damages to his farm, situate in the township of Clinton, Macomb county, occasioned by the construction of the Clin-

ton and Kalamazoo canal across the same, and by the construction of the new dam across the Clinton river, report:

That, by an act of the legislature, approved March 8, 1843, this, as well as all other claims for damages arising from the construction of works of internal improvement, prior to the 1st April, 1842, was very properly referred to the board of state auditors, who, in September last, after a thorough examination of both sides of the subject, passed a resolution expressing the conditions of a settlement, with which the said Thurston refused to comply. It also appears that the late sale of the "Frederick mill property" was made subject to this claim for damages.

Your committee, therefore, in view of these facts, desire to know what the *state* has to do with this matter, and earnestly beg to be discharged from its further consideration.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom was referred the petition of citizens of the township of Watson, asking a change of the name of said township, reported adverse to the prayer of the petition, for the reason that they have received a remonstrance from inhabitants of that township, against said change.

The report was accepted and the committee discharged.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, "a bill to amend an act entitled 'an act to provide for the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners, and for other purposes,' approved March 9, 1843," "a bill to amend section six of 'an act to divide the several counties in this territory into townships,' approved April 12, 1827," and "a bill authorizing the receipt of the obligations of this state in payment of university lands."

Mr. D. C. Walker, from the committee on ways and means, to whom was referred the Senate "bill to amend an act entitled 'an act to extend the time for the collection of taxes in the counties of Genesee, Clinton, Shiawassee, Kent, Lapeer and St. Clair,'" reported the same back without amendment, and it was referred to the committee of the whole.

Mr. Livermore, from the committee on the state prison, made the following report:

The committee on state prison, to whom was referred the joint reso-

lution "authorising the agent of the state prison, under the direction of the inspectors thereof, to procure certain machinery to be used at said prison," have had the same under consideration, and have instructed me to report the same to the House, and recommend its passage.

The report was accepted, and the committee discharged, and the joint resolution referred to the committee of the whole.

Mr. Murphy, from the committee on banks and corporations, made the following report:

The committee on banks and incorporations, to whom was referred a "bill to amend an act entitled 'an act to incorporate the Grand Rapids bridge company,'" respectfully report that they have had the same under consideration, and respectfully ask its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Shurtz, from the committee on roads and bridges, to whom was referred the petition of citizens of Oakland county, for the discontinuance of a certain state road, reported a "bill to discontinue a portion of a certain state road," which was read twice, referred to the committee of the whole and ordered printed.

Mr. R. D. Power, from the select committee appointed for that purpose, reported a "bill to authorize sheriffs to do business in justices' courts, and for other purposes," which was read twice, referred to the committee of the whole, and ordered printed.

Mr. Van Huse, from the select committee appointed for that purpose, reported a "bill to amend section three of an act entitled 'an act to repeal a part of chapter 8, title 5, part first of the revised statutes, and for other purposes,' approved February 17, 1842," which was read twice, referred to the committee of the whole, and ordered printed.

Mr. M. Hall, from the select committee appointed for that purpose, reported a "bill to provide for laying out and establishing a certain state road," which was read twice, referred to the committee of the whole, and ordered printed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Baldwin asked and obtained leave of absence for Mr. Knowlton, for the forenoon.

Mr. D. C. Walker, pursuant to previous notice, asked and obtained

leave to introduce a "bill to authorize James Miller to erect a dam across the Clinton river in the county of Macomb," and Messrs D. C. Walker, Rowland and H. Hall were appointed a committee to bring in the bill.

Mr. Murphy asked and obtained leave of absence for Mr. Dunham till Monday.

Mr. Shurtz, pursuant to previous notice asked and obtained leave to introduce a "bill to grant license to public shows," and Messrs. Shurtz, Ferguson and Blindbury were appointed a committee to bring in the bill.

Mr. Joslin, pursuant to previous notice, asked and obtained leave to introduce a "bill making appropriations on the central railroad," and Messrs. Joslin, H. N. Walker and Pratt were appointed a committee to bring in the bill.

On motion of Mr. Pratt,

The House took up the "bill to establish a land office, to prescribe and regulate the disposition of public lands, and for other purposes," and the question being on filling the blank in the tenth section,

On motion of Mr. D. C. Walker, the bill was laid on the table.

Mr. M. Hall gave notice that on to-morrow he should ask leave to bring in a bill to organize town two north of range seven west in the county of Barry, into a separate township by the name of Maple Grove.

On motion of Mr. Livermore,

The joint resolution fixing the day of adjournment was taken from the table, and the question being on filling the blank in the resolution,

Mr. Pratt moved to insert "twenty-fifth day of February."

Mr. Sheldon moved to insert "nineteenth of February."

Mr. McLeod moved to insert "fourth day of March."

Mr. Shurtz moved to insert the "fifteenth day of February."

The question being on inserting the "fourth day of March," it prevailed.

Mr. Ramsdell moved a reconsideration of the vote by which the "fourth of March" was inserted, which motion prevailed by the following vote :

YEAS.

Mr. Adams,  
Ames,  
Barnard,

Mr. Haydon,  
Hebard,  
Joslin,

Mr. Rowland,  
Runyan,  
Sheldon,

Berry,  
Blindbury,  
Chester,  
Davis,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,

Knight,  
Livermore,  
O. Miller,  
Mosher,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,  
Rix,

Shurtz,  
Snell,  
Stone,  
Videto,  
Van Husan,  
H. N. Walker,  
White,  
Speaker,

35

## NAYS.

Mr. Baldwin,  
Delamatter,  
Hawley,  
McLeod,

Mr. Murphy,  
Parmelee,  
Ramsdell,  
Ruehle,

Mr. Saunders,  
Tillson,  
D. C. Walker,

11

Mr Hawley moved to lay the resolution on the table, which was  
ost by the following vote:

## YEAS.

Mr. Chester,  
Griffin,  
Hawley,  
Haydon,

Mr. McLeod,  
Murphy,  
R. D. Power,  
Ramsdell,

Mr. Ruehle,  
Saunders,  
Tillson,  
White

12

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Davis,  
Delamatter,  
Fairfield,  
Ferguson,  
H. Hall,  
M. Hall,

Mr. Hebard,  
Joslin,  
Knight,  
Knowlton,  
Livermore,  
O. Miller,  
H. L. Miller,  
Mosher,  
Parmelee,  
P. Power,  
Porter,  
Pratt,

Mr. Rix,  
Rowland,  
Runyan,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Videto,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker,

36

The question recurring on the motion to fill the blank with the  
"fourth of March," it was negatived by the following vote:

## YEAS.

Mr. Baldwin,  
Chester,  
Davis,  
Delamatter,  
Griffin,  
Hawley,

Mr. Hebard,  
Knowlton,  
McLeod,  
Murphy,  
Pratt,  
Ruehle,

Mr. Rix,  
Saunders,  
Tillson,  
Videto,  
D. C. Walker,

17

## NAYS.

Mr. Adams,

Mr. Knight,

Mr. Rowland,

Ames,	Lamond,	Runyan
Barnard,	Livermore,	Sheldon,
Berry,	O. Miller,	Shurtz,
Blindbury,	H. L. Miller,	Snell,
Fairfield,	Mosher,	Stone,
Ferguson,	Parmelee,	Vickery,
H. Hall,	R. D. Power,	Van Husan,
M. Hall,	P. Power,	H. N. Walker,
Haydon,	Porter,	White,
Joslin,	Ramsdell,	Speaker. 33

Mr. Murphy moved to insert the "first day of March," which motion did not prevail by yeas and nays as follows :

## YEAS.

Mr. Chester,	Mr. Murphy,	Mr. Tillson,
Hawley,	Rix,	D. C. Walker,
McLeod,		7

## NAYS.

Mr. Adams,	Mr. Hebard,	Mr. Rowland,
Ames,	Knight,	Runyan,
Barnard,	Knowlton,	Saunders,
Baldwin,	Lamond,	Sheldon,
Berry,	Livermore,	Shurtz,
Blindbury,	O. Miller,	Snell,
Davis,	Mosher,	Stone,
Delamatter,	Parmelee,	Videto,
Fairfield,	P. Power,	Vickery,
Ferguson,	R. D. Power,	Van Husan,
Griffin,	Porter,	H. N. Walker,
H. Hall,	Pratt,	White,
M. Hall,	Ruehle,	Speaker,
Haydon,		40

Mr. Livermore moved to insert "twenty-ninth day of February," which motion prevailed by the following vote:

## YEAS.

Mr. Barnard,	Mr. Joslin,	Mr. Ramsdell,
Baldwin,	Knight,	Ruehle,
Blindbury,	Knowlton,	Rix,
Chester,	Lamond,	Saunders,
Davis,	Livermore,	Snell,
Griffin,	McLeod,	Tillson,
H. Hall,	Murphy,	Videto,
Hawley,	R. D. Power,	Vickery,
Haydon,	P. Power,	D. C. Walker,
Hebard,	Pratt,	Speaker, 30

## NAYS.

Mr. Adams,  
Ames,  
Berry,  
Delamatter,  
Fairfield,  
Ferguson,  
M. Hall,

Mr. O. Miller,  
H. L. Miller,  
Mosher,  
Parmelee,  
Porter,  
Rowland,  
Runyan,

Mr. Sheldon,  
Shurtz,  
Stone,  
Van Husan,  
H. N. Walker,  
White,

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The joint resolution as amended was then adopted.

The "bill authorizing the receipt of the obligations of the state in payment of university lands" was read a third time, and

On motion of Mr. Fairfield, laid on the table.

The "bill to amend section six of an act to divide theseveral counties of this territory into townships and for other purposes, approved April 12, 1827," the "bill to amend an act entitled an act to provide for the issuing and return of venires, the payment of jurors, and the appointment of circuit court commissioners and for other purposes, approved March 9, 1843," and the "bill to provide for the punishment of bribery and corruption in certain cases" were severally read a third time and passed.

The House then took up the unfinished business, being the "bill to amend an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1843, and for other purposes," and the question being on concurring in the amendments made in committee of the whole, the second, fourth and seventh amendments were severally concurred in, and the first, third, fifth, sixth, eighth and ninth amendments were severally non-concurred in.

The question then being on concurring in the tenth amendment, striking out the sixth section of the bill,

On motion of Mr. Joslin the House adjourned.

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*Afternoon Session, February 13, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Dunham, Leland and Schoolcraft were absent on leave, and Messrs. Adams, Fairfield, McLeod, R. D. Power and Ramsdell absent without leave.

Mr. H. Hall asked leave of absence for Mr. Ramsdell for the afternoon, which was refused.



The House then took up the "bill to amend the tax law," and the question being on concurring in the tenth amendment made in committee of the whole, striking out the sixth section of the bill, pending which,

Mr. Sheldon asked and obtained leave of absence for Mr. Griffin for this afternoon, on account of ill health.

Mr. Mosher moved an adjournment which was lost.

The question recurring on the motion to concur in the amendment, it was non-concurred in by the following vote :

## YEAS.

Mr. Barnard,  
Blindbury,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Knight,

Mr. Leland,  
McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,  
R. D. Power,

Mr. Rowland,  
Sheldon,  
Vickery,  
H. N. Walker,  
White,  
Speaker,

19

## NAYS.

Mr. Adams,  
Ames,  
Baldwin,  
Berry,  
Chester,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Hebard,

Mr. Joslin,  
Knowlton,  
Lamond,  
Livermore,  
O. Miller,  
Mosher,  
P. Power,  
Porter,  
Pratt,  
Ruehle,

Mr. Rix,  
Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Van Huse,  
D. C. Walker,

31

On motion of Mr. H. L. Miller the House adjourned.

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*Wednesday, February 14, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Mr. Schoolcraft was absent on leave, and Messrs. Berry and Griffin absent without leave.

Prayer by Rev. Mr. Billings.

The journal of yesterday was read and approved.

Mr. Chester asked and obtained leave of absence for Mr. Berry for to-day, on account of ill health.

Mr. Haydon for Mr. Griffin, for the same time and for the same reason.

#### PETITIONS.

The Speaker presented the memorial of fifty-eight citizens of the county of Kalamazoo, praying that sheep may be exempt from taxation for five years. Laid on the table.

Mr. D. C. Walker presented the petition of Wm. Brownson, relative to interest on certain internal improvement estimates, and the memorial of Isaac Kelly, William Beer and James Snook, on the same subject; which were referred to the committee on internal improvement.

#### REPORTS.

Mr. Joslin, from the committee on internal improvement, to whom was referred the petition of A. F. Francisco, for damages by Central railroad, reported the same back and recommended that it be not allowed, for the want of testimony in support of the claim. The report was accepted and the committee discharged.

Mr. Murphy, from the committee on banks and incorporations, made the following report, accompanied by a bill:

The committee on banks and incorporations, to whom was referred the petition of Guy Carpenter and sundry other persons of Lenape county, asking for the incorporation of a company called the Cottonwood swamp turnpike company, respectfully report that they have had the same under consideration, and have prepared the accompanying bill, which they bring in, and respectfully recommend the passage thereof.

The report was accepted, the committee discharged, and the "bill to incorporate the Cottonwood swamp turnpike company," was read twice, referred to the committee of the whole and ordered printed.

Mr. Joslin, from the committee on internal improvement, to whom was referred the petition of Sherman Hawley and fifty-nine others, asking that, in case of the sale of the public works, the Southern railroad shall intersect the St. Joseph river at the village of Constantine, reported the same back and asked to be discharged from its further consideration.

The committee were discharged, and,  
On motion of Mr. H. N. Walker,

The petition was referred to the select committee on the bill for the sale of the public works.

Mr. Joslin, from the select committee appointed for that purpose, introduced "a bill making appropriations on the Central railroad, for the year 1844."

Mr. Pratt raised a point of order, whether it was competent for the House to receive a new bill, when a bill of a similar nature had already been rejected.

After some discussion, and the reading of the bill by the clerk, Mr. Pratt withdrew the objection.

The question being on rejecting the bill,

Mr. H. L. Miller moved to lay the question of rejection on the table; which motion was lost, by the following vote:

## YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. R. D. Power,
Ames,	Ferguson,	Pratt,
Barnard,	Hebard,	Rowland,
Baldwin,	Knowlton,	Runyan,
Blindbury,	Lamond,	Shurtz,
Chester,	O. Miller,	Snell,
Davis,	H. L. Miller,	Stone,
Dunham,	P. Power,	H. N. Walker, 24

## NAYS.

Mr. Delamatter,	Mr. McLeod,	Mr. Sheldon,
H. Hall,	Murphy,	Tillson,
M. Hall,	Parmelee,	Videto,
Hawley,	Porter,	Vickery,
Haydon,	Ramsdell,	Van Huse,
Joslin,	Ruehle,	D. C. Walker,
Knight,	Rix,	White,
Leland,	Saunders,	Speaker,
Livermore,		

25

The question then recurring on the rejection of the bill,  
On motion of Mr. H. L. Miller, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Griffin and Schoolcraft were absent on leave, and Messrs. Saunders and Shurtz were absent without leave.

The House then took up the "bill making appropriations on the Central railroad for the year 1844," and the question being on the rejection of the bill,

On motion of Mr. Fairfield, a call of the House was had, when Messrs. P. Power, Saunders and Shurtz were absent without leave.

On motion of Mr. Pratt, the sergeant-at-arms was sent for the absentees.

Mr. Shurtz having returned,

Mr. Porter moved to dispense with all further proceedings under the call, which motion was negatived by the following vote :

#### YEAS.

Mr. Blindbury,  
Delamatter,  
H. Hall,  
M. Hall,  
Haydon,  
Knight,

Mr. Leland,  
Livermore,  
McLeod,  
Porter,  
Ramsdell,  
Sheldon,

Mr. Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
Speaker.

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#### NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Davis,  
Dunham,  
Ferguson,  
Hawley,  
Hebard,

Mr. Joslin,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
Parmelee,  
R. D. Power,  
Pratt,

Mr. Ruehle,  
Rix,  
Rowland,  
Runyan,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
H. N. Walker,  
White,

31

Mr. P. Power having returned,

Mr. Rowland moved to dispense with all further proceedings under the call, which did not prevail.

Mr. H. L. Miller moved to dispense with all further proceedings under the call, which motion did not prevail.

Mr. D. C. Walker moved to dispense with all further proceedings under the call, which motion was lost.

Mr. Saunders having returned,

On motion of Mr. Barnard, all further proceedings under the call were dispensed with.

On motion of Mr. McLeod, a call of the House was had, when the members were all present except Mr. Schoolcraft, absent on leave.

On motion of Mr. McLeod, all further proceedings under the call were dispensed with.

The question recurring on the motion to reject the bill, it was lost by the following vote:

## YEAS.

Mr. Adams,	Mr. Ferguson,	Mr. P. Power,
Ames,	Griffin,	R. D. Power,
Barnard,	Hebard,	Praitt,
Baldwin,	Knowlton,	Rowland,
Berry,	Lamond,	Runyan,
Chester,	O. Miller,	Shurtz,
Davis,	H. L. Miller,	Snell,
Dunham,	Mosher,	Stone,
Fairfield,	Murphy,	

26

## NAYS.

Mr. Blindbury,	Mr. Livermore,	Mr. Tillson,
Delamatter,	McLeod,	Videto,
H. Hall,	Parme.ee,	Vickery,
M. Hall,	Porter,	Van Hulan,
Hawley,	Ramsdell,	D. C. Walker,
Haydon,	Ruehle,	H. N. Walker,
Joslin,	Rix,	White,
Knight,	Saunders,	Speaker,
Leland,	Sheldon,	

26

The bill was then read the second time, referred to the committee of the whole, and ordered printed.

Mr. Hawley asked and obtained leave of absence for Mr. Saunders for the day.

Mr. McLeod for Mr. Sheldon till Monday next.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
February 14, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the “bill to amend an act to incorporate the village of Jackson, approved March 7, 1843,” and to respectfully inform the House that the Senate have passed the same.

Also to return the House amendment to the “bill to provide for the punishment of bribery and corruption in certain cases,” and to inform the House that the Senate have concurred therein, with sundry amendments, in which they respectfully ask the concurrence of the House.

JAS. E. PLATT,  
*Secretary of Senate.*

The "bill to amend an 'act to incorporate the village of Jackson,' approved March 7, 1843," was ordered to be enrolled.

The Senate amendments to the House amendments to the "bill to provide for the punishment of bribery and corruption in certain cases," were severally concurred in.

The following message was received from the Senate:

SENATE CHAMBER, }  
*Detroit, Feb. 14, 1843.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a "joint resolution relative to the claim of Albert Elliott and John M. Van Aikin," which the Senate have adopted, and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

The "joint resolution relative to the claim of Albert Elliott and John M. Van Aikin," was read twice and referred to the committee on claims.

The following communication was received from the Senate:

SENATE CHAMBER, }  
*February 14, 1844.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a "bill to facilitate the study of anatomy, and to repeal chapter 2, part 1, title 8 of the revised statutes, relating to medical societies," which the Senate have passed, and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "bill to facilitate the study of anatomy, and to repeal chapter 2, part 1, title 8, of the revised statutes, relating to medical societies, was read twice, and referred to the committee on the judiciary.

The following message was received from the Senate:

SENATE CHAMBER, }  
*February 14, 1844.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "bill to extend the time for the completion of the Havre Branch railroad," and to inform the House that the Senate have passed the same with an amend-

ment, in which they respectfully ask the concurrence of the House.

JAMES E. PLATT,

*Secretary of the Senate.*

The Senate amendment to the bill to extend the time for the completion of the Havre Branch railroad was concurred in by the House and the bill ordered to be enrolled.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Detroit, February 14, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the "joint resolution relative to adjournment of the legislature," and to inform the House that the Senate have concurred in the House amendment thereto with an amendment, in which they respectfully ask the concurrence of the House.

Also, to transmit a "bill to amend an act entitled an act to require an annual settlement with the state, of certain officers and agents, and for other purposes, approved February 4, 1842," which the Senate have passed and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,

*Secretary of the Senate.*

The "bill to amend an act entitled an act to require an annual settlement with the state of certain state officers and agents, and for other purposes, approved February 4, 1842," was read twice and referred to the committee on ways and means.

The Senate amendment to the "joint resolution relative to adjournment of the legislature" being under consideration,

Mr. Baldwin moved to lay the resolution on the table, which motion was lost.

The amendment was then concurred in.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of H. N. Walker,

*Resolved*, That the bill to make appropriations on the Central railroad be referred to a select committee of five, with instructions to report the amount of appropriations heretofore made and now in force on the several works of internal improvement of this state which remains unexpended.

The Speaker announced as such committee Messrs. H. N. Walker, Pratt, D. C. Walker, Parmelee and Mosher.

Mr. H. N. Walker offered the following resolution which, on motion of Mr. Livermore, was laid on the table :

*Resolved*, That the standing committees of this House report upon the several matters referred to them, on or before Monday next, and that no more bills shall be introduced after Tuesday next.

Mr. McLeod gave notice that at an early day he should ask leave to introduce a bill to amend section 3 of an act entitled "an act to abolish the office of county commissioners and for other purposes," approved February 10, 1842.

Mr. Vickery gave notice that at an early day he should ask leave to introduce a bill to amend section 6, chapter 2, title 7, part second of the revised statutes, in relation to divorce.

Mr. Baldwin gave notice that he should on to-morrow, ask leave to introduce a bill to amend "an act to abolish imprisonment for debt, and to punish fraudulent debtors."

Mr. H. L. Miller moved to take up from the table the "bill authorizing the receipt of the obligations of this state in payment of university lands," which motion was lost.

Mr. P. Power, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Utica female seminary, and Messrs. P. Power, Videto and Dunham were appointed a committee to bring in the bill.

On motion of Mr. Parmelee,

The "bill to lay out, establish and provide for the construction of a state road from the village of Hastings to the village of Grand Rapids," was taken from the table.

On motion of Mr. Parmelee, the following amendments were made to the bill:

Amend section one, by striking out in the third line, the word "Hastings," and inserting "Battle Creek;" also, insert between the words "route" and "to," in the fourth line, the words "via the village of Hastings, in the county of Barry;" also, insert in the fifth line, between the words "that" and "Albert," the words "John Meacham, of Calhoun county, Jason Cowles;" also, amend section two, by inserting between the words "several townships," the word "sur-



veyed," also, add to section four, "Provided, nevertheless, that a majority of the commissioners appointed by the first section of this act, shall have the power, at any time, to direct where and in what manner such moneys shall be laid out or expended on said road, and the special commissioner is hereby required to lay out such moneys according to such direction."

On motion of Mr. Baldwin,

The words "be it further enacted that," were stricken out of the first lines of sections two, three and four.

On motion of Mr. Pratt, the first word "that" in the first lines of sections 5, 6, and 7 was stricken out.

Mr. Mosher moved to amend by striking out of the 5th line of section 3, the word "two" and inserting "one," which did not prevail.

The bill was then ordered to be engrossed for a third reading.

Mr. Baldwin moved to take from the table the "bill to provide for the foreclosure of mortgages," which motion was lost.

Mr. Joslin moved to take from the table the "bill authorizing the receipt of the obligations of this state in payment of university lands," which prevailed, and the bill was passed by the following vote.

## YEAS.

Mr. Baldwin	Mr. Lamond,	Mr. Ruehle,
Blindbury,	Leland,	Rix,
Delamatter,	Livermore,	Stone,
H. Hall,	McLeod,	Tillson,
M. Hall,	Mosher,	Vickery,
Hawley,	Parmelee,	Van Husan,
Haydon,	R. D. Power	H. N. Walker,
Joslin,	Porter,	Speaker,
Knight,	Ramsdell,	

26

## NAYS,

Mr. Adams	Mr. Griffin,	Mr. Rowland,
Ames	Hebard	Runyan,
Chester	Knowlton	Shurtz
Davis,	H. L. Miller	Snell,
Dunham,	Murphy	Videto,
Fairfield,	P. Power,	White,
Ferguson	Pratt,	

19

Mr. Ramsdell asked and obtained leave of absence for Mr. R. D. Power, till Monday next.

Mr. Baldwin moved to take from the table the "bill to provide for the foreclosure of mortgages," which motion was lost.

Mr. Delamatter moved an adjournment which was lost.

The House then took up the unfinished business being the "bill to amend an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1848."

Mr. Porter moved to amend, by adding at the end of section 6, the following :

And provided also, that the auditor general shall require of the editor or proprietor of the paper so designated a sufficient bond, with two sureties, that he will deliver or cause to be sent by mail to each and every township clerk in the state, one copy of each paper printed by him in which the delinquent taxes are published, free of charge to such clerk or township.

Mr. D. C. Walker moved to amend the amendment, by striking out "township clerk," and inserting "county treasurer," which motion was lost.

On motion of Mr. D. C. Walker,

The words "and without charge to the state," were added to the amendment.

Mr. Joslin moved to amend the amendment, by adding, "and the auditor general shall pay to each township clerk the sum of five dollars for exhibiting such papers," which motion did not prevail.

Mr. Rowland moved to amend the amendment, by inserting after the word "copy," the words "each week," which motion was lost.

On motion of Mr. Parmelee,

The words "and county treasurer," were inserted after the word "clerks," in the amendment.

Mr. H. L. Miller moved to amend the amendment, by inserting after the word "treasurer," the words "supervisors and pathmasters," which motion was lost.

On motion of Mr. Parmelee,

The words "or treasurer," were inserted after the words "said clerk," in the amendment.

The amendment as amended, was then rejected.

Mr. Berry sent up the following, as a separate section.

That the third section of "an act to provide for the assessment and collection of taxes," be, and the same is hereby amended by striking out of the fourth and fifth lines of said section, the words "more than they pay interest for;" also, by striking out of the fifth and sixth

lines of said section, the words "more than their indebtedness;"—  
pending the question on which,

On motion of Mr. Ramsdell, the House adjourned.

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*Thursday, February 15, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. R. D. Power, Schoolcraft and Sheldon, were absent on leave, and Messrs. Berry, Griffin and O. Miller absent without leave.

Prayer by Rev. Mr. Billings.

The journal of yesterday was read and corrected.

Mr. Rix presented the petition of forty-nine legal voters of the counties of St. Clair and Macomb, praying that a law be enacted for the further protection of personal liberty. Laid on the table.

Also, the petition of fifty-one legal voters of the counties of St. Clair and Macomb, praying that the second article of the constitution may be so amended that citizens of this state may enjoy equal political rights and privileges, irrespective of color. Referred to the committee on the judiciary.

#### REPORTS.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the Senate "bill to amend an act entitled 'an act to provide for the collection of demands against boats and vessels,' approved April 10, 1839," reported the same back without amendment and recommended its passage.

The report was accepted, the committee discharged and the bill referred to the committee of the whole.

Also, from the same committee, to whom was referred a resolution relative to the propriety of so amending the present law, as to permit all persons of good moral character to practice law, reported the same back without action, for the reason that a bill is now before the House on the same subject.

The report was accepted and the committee discharged.

Mr. Baldwin, from the committee on the organization of towns and counties, made the following report, which was accepted and the committee discharged:

The committee on the organization of towns and counties, to whom

was referred the petition of sundry citizens to change the name of Prairieville, in the county of Barry; the petition to change the name of the town of Wakeman, in the county of St. Joseph; the petition to annex that portion of the town of Boston, in the county of Ionia, lying north of the Grand river, to the town of Keene, in said county, have instructed me to report that the committee have had the same under consideration, and believe there is no impropriety in granting the prayer of the petitioners.

Mr. Pratt, from the committee on engrossment and enrollment reported as correctly enrolled, the "bill to amend an act entitled an act to incorporate the village of Jackson, approved March 7, 1843," and the "bill to extend the time for the completion of the Havre Branch railroad," and that the same were this day presented to the Governor for his approval.

Mr. Joslin, from the committee on internal improvement, to whom was referred the "bill to improve the navigation of the Flint river," reported the same back without amendment, and recommended its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Shurtz, from the select committee, appointed for that purpose, reported a "bill for the purpose of granting license to public shows," which was read twice, referred to the committee of the whole and ordered printed.

Mr. D. C. Walker, from the select committee appointed for that purpose, reported a "bill to authorize James Miller to erect a dam across the Clinton river in the county of Macomb," which was read twice, referred to the committee of the whole and ordered printed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. D. C. Walker,

*Resolved*, That the Speaker be directed to take from the table on each morning, all bills laid on the table, and place the same in their respective places in the order of business of the House.

Mr. Haydon, gave notice that on some future day he should ask leave to bring in a bill providing for the improvement of the navigation of the Paw Paw river.

Mr. McLeod, pursuant to previous notice, asked and obtained leave

to introduce a 'bill to amend an act entitled an act to abolish the office of county commissioners, and for other purposes, approved February 10, 1842," and Messrs. McLeod, Barnard and Van Husan were appointed a committee to bring in the bill.

Mr. Baldwin, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend the act to abolish imprisonment for debt," and Messrs. Baldwin, H. N. Walker and D. C. Walker were appointed a committee to bring in the bill.

Mr. Lamond gave notice that he should, at some future day, ask leave to introduce a bill for the benefit of the unfortunate poor.

Mr. Pratt moved a reconsideration of the vote, by which the House concurred in the Senate amendments to the joint resolution relative to adjournment, pending which,

On motion of Mr. Baldwin, the motion to reconsider was laid on the table.

On motion of Mr. Parmelee,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending sections 18 and 19, of chapter 3, title 4, part 1st, of the revised statutes, as to leave it optional with townships, whether or not to build pounds, or keep the same in repair, and report by bill or otherwise.

Mr. Tillson asked and obtained leave of absence for Mr. Berry till Monday next.

Mr. Haydon for Mr. Griffin for to-day.

Mr. Vickery, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend section six, chapter two, of the revised statutes," and Messrs. Vickery, Adams and Hawley were appointed a committee to bring in the bill.

The House then took up the unfinished business, being the "bill to amend an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1843," and the question being on the adoption of the amendment offered yesterday by Mr. Berry, it was lost.

On motion of Mr. Joslin, the word "twelve," in line 1, section 6, was stricken out, and "eight" inserted.

Mr. H. L. Miller moved to amend as follows:

Amend section 6 by striking out all after the word "be," in the

first line, to the word "and" in the sixth line, and insert "forwarded to each county treasurer in this state on or before the first day of July in each and every year, a full and accurate statement of all the lands lying in the county in which such treasurer resides, which are delinquent for taxes, with the interest, to the first day of October following, adding thereto the costs of advertising, messengers, postages, expenses of sale, returns thereof, and conveyances, calculated upon each description, by dividing the lawful charges by the whole number of descriptions, which statement the said county treasurer shall cause to be published for eight weeks successively, next preceding the said first day of October, in some newspaper printed in the county in which said lands shall be offered for sale,"

Which amendment was lost by the following vote :

## YEAS.

Mr. Hawley, Haydon, Knight, Leland,	Mr. H. L. Miller, Murphy, Parmelee,	Mr. Vickery, H. N. Walker, White,	10
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## NAYS.

Mr. Adams, Ames, Barnard, Baldwin, Chester, Davis, Delamatter, Dunham, Fairfield, H. Hall, M. Hall,	Mr. Hebard, Joslin, Knowlton, Lamond, Livermore, McLeod, Mosher, P. Power, Porter, Pratt, Ramsdell,	Mr. Ruehle, Rowland, Runyan, Saunders, Shurtz, Snell, Tillson, Videto, Van Huse, D. C. Walker, Speaker,	33
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Mr. Vickery offered the following to stand as an additional section:

That sheep be exempted from assessment and taxation for state, county and township purposes, for five years, from and after the passage of this act.

Mr. Joslin moved to amend the amendment by inserting the word "village" after the word "township," which was lost.

The question recurring on the amendment it was lost.

On motion of Mr. D. C. Walker, section 7 was amended by inserting the following words at the commencement: "Sections fifty-seven, fifty-eight and fifty-nine of the act to which this act is amendatory and."

On motion of Mr. Ramsdell, section 7 was amended by striking out the words "acts or."

On motion of Mr. D. C. Walker, the following was inserted to stand as section 7.

"Section 7. No printer shall be paid for printing any copy of the aforesaid statement, who does not forward to the Auditor General within twenty days of the last publication thereof an affidavit of such publication made by some person to whom the facts shall be known.

Mr. H. N. Walker offered the following as a proviso to section 6, "and provided, that the costs of publication in said newspaper shall not exceed ten cents for each and every description of land so advertised.

On motion of Mr. D. C. Walker the word ten was stricken out.

Mr. Pratt moved to insert "thirty-eight" which was lost by the following vote :

## YEAS.

Mr. Adams,  
Pratt,

Mr. Tillson,  
D. C. Walker,

Mr. Speaker,

5

## NAYS.

Mr. Ames,  
Barnard,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,

Mr. Hebard,  
Joslin,  
Knight,  
Knowlton,  
Leland,  
Livermore,  
McLeod,  
H. L. Miller,  
Mosher,  
Murphy,  
Parmelee,  
P. Power,

Mr. Porter,  
Ramsdell,  
Ruehle,  
Rowland,  
Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
Vickery,  
Van Hulan,  
H. N. Walker,

37

Mr. Livermore moved to insert "forty-five" which was lost by yeas and nays as follows :

## YEAS.

Mr. Livermore,  
Mosher,

Mr. Pratt,  
Shurtz,

Mr. Speaker,

5

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Blindbury,  
Chester,

Mr. Hebard,  
Joslin,  
Knight,  
Knowlton,  
Lamond,

Mr. Ruehle,  
Rix,  
Rowland,  
Runyan,  
Saunders,

Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
H. Hall,  
M. Hall,  
Haydon,

Leland,  
McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,

Snell,  
Stone,  
Tillson,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White, 39

Mr. D. C. Walker moved to insert "thirty-five" which was lost by the following vote :

## YEAS.

Mr. Adams,  
Baldwin,  
Chester,  
Davis,  
Delamatter,  
Fairfield,  
Hebard,

Mr. Joslin,  
Knowlton,  
Lamond,  
Livermore,  
Mosher,  
P. Power,  
Pratt,

Mr. Rix,  
Shurtz,  
Snell,  
Tillson,  
D. C. Walker,  
Speaker, 20

## NAYS.

Mr. Ames,  
Barnard,  
Blindbury,  
Dunham,  
Ferguson,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,

Mr. Knight,  
Leland,  
McLeod,  
Murphy,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,

Mr. Rowland,  
Runyan,  
Saunders,  
Stone,  
Vickery,  
Van Husan,  
H. N. Walker,  
White, 25

Mr. Pratt moved to insert "thirty-four," which was lost by the following vote :

## YEAS.

Mr. Adams,  
Baldwin,  
Chester,  
Davis,  
Delamatter,  
Fairfield,  
Hebard,

Mr. Joslin,  
Knowlton,  
Lamond,  
Livermore,  
Mosher,  
P. Power,  
Pratt,

Mr. Rix,  
Shurtz,  
Snell,  
Tillson,  
D. C. Walker,  
Speaker, 20

## NAYS.

Mr. Ames,  
Barnard,  
Blindbury,  
Dunham,  
Ferguson,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,

Mr. Knight,  
Leland,  
McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,  
Porter,  
Ruehle,

Mr. Rowland,  
Runyan,  
Saunders,  
Stone,  
Vickery,  
Van Husan,  
H. N. Walker,  
White, 25



Mr. Ruehle move to insert "thirty" which prevailed by the following vote :

## YEAS.

Mr. Adams,	Mr. Hebard,	Mr. Pratt,
Ames,	Joslin,	Ruehle,
Baldwin,	Knowlton,	Rix,
Chester,	Lamond,	Shurtz,
Davis,	Livermore,	Snell,
Delamatter,	Mosher,	Tillson.
Dunham,	P. Power,	D. C. Walker,
Fairfield,	Porter,	Speaker, 24

## NAYS.

Mr. Barnard,	Mr. Knight,	Mr. Rowland,
Blindbury,	Leland,	Runyan,
Ferguson,	McLeod.	Saunders,
H. Hall,	H. L. Miller,	Stone,
M. Hall,	Murphy.	Vickery.
Hawley,	Parmelee,	H. N. Walker,
Haydon,	Ramsdell,	White, 21

Mr. Murphy moved to amend the amendment by adding thereto the following words, "and if said printing cannot be done in any paper for the sum of thirty cents for each description, the same shall be dispensed with," which amendment was lost.

Mr. Joslin moved to amend the amendment by adding the following words, "and no newspaper shall be selected for the publication of such tax lists, which is not at the time permanently established, nor shall any paper be selected in any county, established for the object of publishing such tax lists," which amendment did not prevail.

Mr. Stone moved to amend the amendment by adding the following: "Provided that if the publication of said statements as aforesaid cannot be procured in any county on the terms aforesaid, the publication shall be made in the same manner as is hereinbefore provided, where no paper is printed, in a county where the lands are situated," which was lost.

The question then recurring on the original amendment, it prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Porter,
Ames,	Joslin,	Ramsdell,
Barnard,	Knight,	Ruehle,
Blindbury,	Knowlton,	Rowland,
Davis,	Lamond,	Runyan,

Delamatter,	Leland,	Saunders,
Dunham,	McLeod,	Snell,
Ferguson,	H. L. Miller,	Stone,
H. Hall,	Mosher,	Tillson,
M. Hall,	Murphy,	Van Husan,
Hawley,	Parmelee,	White,

33

## NAYS.

Mr. Baldwin,	Mr. Pratt,	Mr. D. C. Walker,
Chester,	Shurtz	H. N. Walker,
Hebard,	Videto,	Speaker,
Livermore,	Vickery,	

11

Mr. Vickery offered the following amendment:

"Section 4 of said act is hereby amended by striking out the word 'ten' in the fifth clause of said section and insert the words "one hundred," pending which,

On motion of Mr. H. N. Walker, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry, Griffin, R. D. Power, Schoolcraft and Sheldon were absent on leave, and Messrs. Barnard, Delamatter, Dunham, H. Hall Hawley, Leland, McLeod, O. Miller and H. N. Walker were absent without leave.

Mr. D. C. Walker asked and obtained leave of absence for Mr. H. N. Walker for the afternoon.

Mr. Fairfield for Mr. O. Miller till Monday next.

Mr. Haydon asked leave of absence for Mr. Delamatter for one hour, which was refused.

Mr. Ramsdell for Mr. McLeod, for one hour, which was not granted.

Mr. Livermore for Mr. Barnard, for the afternoon, which was granted.

On motion of Mr. Fairfield, the claim of R. W. Ingalls was taken from the table and referred to the committee on claims.

The House then took up the unfinished business, being the "bill to amend the act to provide for the assessment and collection of taxes," and the question being on the amendment offered by Mr. Vickery, it was lost.

Mr. Blindbury moved to amend, by adding at the end of the fifth section, the following: "Also, to amend the 14th section by repeal-

ing all of said section after the word 'thereof,' in the tenth line;" which motion was lost.

On motion of Mr. H. L. Miller, the following was inserted, to stand as an independent section:

"Sec. Section forty-seven of the act to which this is amendatory, is hereby so amended as to make the returns from the county treasurers receivable by the auditor general at any time during the month of March, in each year, whether the said returns are forwarded prior to the first day of March, or at any time during the said month."

Mr. Haydon moved to strike out the word "state" in the third line of section one, which motion prevailed, by the following vote:

## YEAS.

Mr. Adams,	Mr. Hebard,	Mr. Parmelee,	
Ames,	Joslin,	P. Power,	
Chester,	Knight,	Porter,	
Delamatter,	Knowlton,	Runyan,	
Fairfield,	Lamond,	Shurtz,	
Ferguson,	H. L. Miller,	Snell,	
M. Hall,	Mosher,	Videto,	
Haydon,	Murphy,	White,	24

## NAYS.

Mr. Baldwin,	Mr. Ramsdell,	Mr. Tillson,	
Blindbury,	Ruehle,	Vickery,	
Davis,	Rix,	Van Huse,	
Hawley,	Rowland,	D. C. Walker,	
Livermore,	Saunders,	Speaker,	
Pratt,	Stone,		17

Mr. Rowland moved to lay the bill on the table, which motion was lost.

Mr. White offered the following, to stand as a separate section:

"Sec. That section forty-two be amended, by inserting after the word 'warrant,' in the fifth line, 'and three per cent on all taxes returned, provided the amount collected does not exceed five hundred dollars. Said three per cent to be added by said township treasurer, when returned.'"

Mr. Parmelee moved to strike out the word "three," in the second line of the amendment, and insert "two."

A division of the question being called for, the question was on striking out the word "three," which prevailed.

The question then being on inserting the word "two," it prevailed. The amendment as amended was then adopted.

Mr. H. L. Miller moved to amend by striking out the word "he" in the 3d line of the 4th section, and inserting "commissioner of the land office," which motion was lost.

The bill was then ordered to be engrossed for a third reading by the following vote :

## YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Ramsdell,
Ames,	Knight,	Shurtz,
Chester,	Lamond,	Tillson,
Fairfield,	Livermore,	Videto,
Ferguson,	Murphy,	D. C. Walker,
M. Hall,	P. Power,	White,
Haydon,	Porter,	Speaker,
Hebard,		

22

## NAYS.

Mr. Blindbury,	Mr H. L. Miller,	Mr. Rowland,
Davis,	Parmelee,	Snell,
Hawley,	Pratt,	Vickery,
Knowlton,	Ruehle,	Van Husan,

12

The House then resolved itself into committee of the whole on the general order, Mr. Rowland in the chair, and after some time spent thereon the committee rose and by their Chairman reported that they had had under consideration "a bill to amend 'an act to provide for the organizations of courts of special sessions, and to define their powers and duties,'" and on which they had made some progress, and asked leave to sit again thereon. Leave was not granted.

On motion of Mr. Mosher, the House adjourned.

*Friday, February 16, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry, O. Miller, R. D. Power, Schoolcraft and Sheldon were absent on leave, and Messrs. Griffin, Ramsdell, Stone, and H. N. Walker, absent without leave.

Prayer by the Rev. Mr. Billings.

The journal of yesterday was read and approved.

Mr. Haydon asked and obtained leave of absence for Mr. Griffin for to day.

Mr. Knowlton for Mr. Snell for the same time.

Mr. Mosher for Mr. Ramsdell for two days.

#### PETITIONS

By Mr. Vickery, of James H. Thorn, and others, of Kalamazoo county, asking that the right of pre-emption be granted to certain settlers on the state lands. Referred to the committee on public lands.

By Mr. Murphy, of Charles W. Westfall and 75 other citizens of the county of Hillsdale, for the establishing of a state road through the state of Michigan on the Indiana road, so called. Referred to the committee on roads and bridges.

By Mr. P. Power, of 76 legal voters of the town of Pontiac, for the passage of a law submitting to the voters of each town, at their annual town meetings, whether groceries and tippling houses shall or shall not be licensed. Referred to the select committee on that subject.

By Mr. Rowland, the claim of W. Tillman. Referred to the committee on claims.

#### REPORTS.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, the bill to lay out, establish and provide for the construction of a state road from the village of Hastings to the village of Grand Rapids," and the "bill to amend an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1843, and for other purposes."

Mr. Vickery, from the committee on claims, to whom was referred the Senate "joint resolution in relation to the claim of Albert Elliott and John M. Van Aiken," reported the same back and recommended its passage.

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Mr. Murphy, from the committee on banks and incorporations, made the following report, which was accepted and the committee discharged:

The committee on banks and incorporations, to whom was referred the petition of William Wallace Phelps and other students of the university of Michigan, asking for the incorporation of "The Phi Phi Alpha society of the university of Michigan," respectfully report

that they are of opinion that chapter two, part two, title ten of the revised statutes, sufficiently provides for the formation of a company or association for the promotion of mental improvement, which appears by the petition to be the object sought for by the petitioners, and that an association, organized under that law, would seem to answer the purposes of all such associations.

Mr. Vickery, from the committee on claims, to whom was referred the claim of Patrick Kilfoil, for damages sustained on the Central railroad, reported adversely to the allowance of the claim.

The report was accepted and the committee discharged.

Mr. Vickery, from the select committee appointed for that purpose, introduced "a bill to amend section six, chapter two, title seven, part second of the revised statutes," which was read twice, referred to the committee of the whole and ordered printed

Mr. McLeod, from the select committee appointed for that purpose, introduced "a bill to amend an act entitled 'an act to abolish the office of county commissioner and for other purposes,' approved February 10, 1842," which was read twice, referred to the committee of the whole and ordered printed.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }  
February 15, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a "bill to authorize the minor heirs of the late Jared Higbee, deceased, to release their claim to a certain tract of land," which they have passed, and respectfully ask the concurrence of the House therein.

Also, to transmit "a joint resolution relative to the payment of the contracts for state printing and binding," which the Senate have adopted, and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "joint resolution relative to the payment of the contracts for state printing and binding," was read twice and referred to the committee on printing.

The "bill to authorize the minor heirs of the late Jared Higbee,

deceased, to release their claim to a certain tract of land," was read twice and referred to the committee on the judiciary.

The following message was received from the Senate:

SENATE CHAMBER, }  
February 15, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the "bill to amend an act entitled 'an act to provide for the issuing and return of venires, the payment of jurors, the appointment of circuit court commissioners, and for other purposes,' approved March 9, 1843," and "a bill to establish certain roads therein mentioned, and for other purposes," and to inform the House that the Senate have passed the same, with amendments, in which they respectfully ask the concurrence of the House.

Also, to transmit "a bill to establish a board of county auditors for Wayne county, and for other purposes," and "a bill to amend an act entitled 'an act to prescribe the powers and duties of justices of the peace in civil proceedings,' approved April 9, 1841," which the Senate have passed and respectfully ask the concurrence of the House.

JAS. E. PLATT,  
*Secretary of the Senate.*

' The Senate amendments to the "bill to amend an act entitled 'an act to provide for the issuing and return of venires, the payment of jurors, the appointment of circuit court commissioners, and for other purposes,' approved March 9, 1843," were severally concurred in and the bill ordered to be enrolled.

The Senate amendment to the "bill to establish certain roads therein mentioned and for other purposes" were severally non-concurred in.

The "bill to establish a board of county auditors for Wayne county and for other purposes," was read twice and referred to the committee on the judiciary.

The "bill to amend an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings," approved April 9, 1841, was read twice and referred to the committee on the judiciary.

Mr. Haydon pursuant to previous notice asked and obtained leave

to introduce a bill to improve the navigation of the Paw Paw river, and Messrs. Haydon, Blindbury and Runyan were appointed a committee to bring in said bill.

Mr. H. L. Miller moved to take from the table the motion to reconsider the vote by which the House concurred in the Senate amendment to the joint resolution relative to adjournment, which motion was lost by the following vote :

## YEAS.

Mr. Adams, Blindbury, Dunham, Ferguson, H. Hall, M. Hall,	Mr. Knight, Leland, Livermore, H. L. Miller, Mosher, Rix,	Mr. Rowland, Runyan, Shurtz, Stone, H. N. Walker,
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17

## NAYS.

Mr. Ames, Barnard, Baldwin, Chester, Davis, Delamatter, Fairfield, Hawley, Haydon,	Mr. Hebard, Joslin, Knowlton, Lamond, McLeod, Parmelee, P. Power, Porter, Pratt,	Mr. Ruehle, Saunders, Tillson, Videto, Vickery, Van Hulan, D. C. Walker, White, Speaker,
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27

On motion of Mr. Pratt, the "bill to amend an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1843, and for other purposes," was laid on the table for one day.

The "bill to lay out, establish and provide for the construction of a state road from the village of Hastings to the village of Grand Rapids," was read the third time and the question being on its passage it was rejected by the following vote :

## YEAS.

Mr. Adams, Baldwin, Chester, Davis, Ferguson, H. Hall, M. Hall,	Mr. Haydon, Lamond, McLeod, H. L. Miller, Parmelee, P. Power, Porter,	Mr. Pratt, Rix, Runyan, Shurtz, Stone, H. N. Walker, White,
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21

## NAYS.

Mr. Ames, Barnard, Blindbury,	Mr. Knight, Knowlton, Leland,	Mr. Saunders, Tillson, Videto,
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Delamatter,	Livermore,	Vickery,
Dunham,	Mosher,	Van Husan,
Fairfield,	Murphy,	D. C. Walker,
Haydon,	Ruehle,	Speaker,
Joslin,	Rowland,	23

The House then took up the "bill to amend the act organizing courts of special session, &c.," and

On motion of Mr. Joslin, section 1 was amended by striking out of the 4th and 5th lines the words "with or without" and inserting "by."

The bill was then ordered to be engrossed for a third reading by yeas and nays as follows:

## YEAS.

Mr. Adams,	Mr. Hawley,	Mr. Ruehle,
Ames,	Joslin,	Rix,
Barnard,	Knight,	Rowland,
Blindbury,	Leland,	Runyan,
Davis,	Livermore,	Saunders,
Delamatter,	Mosher,	Shurtz,
Ferguson,	P. Power,	Tillson,
H. Hall,	Porter,	Van Husan,
M. Hall,	Pratt,	Speaker.
		27

## NAYS.

Mr. Baldwin,	Mr. Lamond,	Mr. Videto,
Chester,	McLeod,	Vickery,
Dunham,	H. L. Miller,	D. C. Walker,
Haydon,	Murphy,	H. N. Walker,
Hebard,	Parmelee,	White,
Knowlton,	Stone.	17

The House then took up the "bill to lay out, establish and provide for the construction of a state road from Kalamazoo to South Haven."

Mr. Vickery moved to lay the bill on the table, which motion was lost.

On motion of Mr. Hawley, section three was amended by striking out all to the word "that" in the third line.

On motion of Mr. Baldwin, the word "two" in the fifth line of section three, was stricken out and "one" inserted.

The question then being on ordering the bill to be engrossed for a third reading, it was decided in the negative.

On motion of Mr. Pratt, the "bill relative to the duties of assess-

sors and highway commissioners" was referred to the select committee on road bills.

The House then took up the "bill to provide for the foreclosure of mortgages."

Mr. Joslin moved to strike out all after the enacting clause, pending which,

On motion of Mr. Baldwin, the seventh section was amended by striking out of the third and fourth lines the words "or any other person having knowledge of the publishing of such advertisement."

On motion of Mr. Hawley, the fourth line of section two was amended by inserting after the word "law" the words "or in chancery."

On motion of Mr. Baldwin, the word "four" in the second line of section three, was stricken out, and "twelve" inserted.

Mr. Haydon moved to amend section six by striking out the words "one year" in the fifth line, and insert "two years," which motion was lost.

Mr. D. C. Walker moved to amend section six by striking out the word "two" in the sixth line, and inserting "one" which did not prevail.

On motion of Mr. Baldwin, all after the word "published," in the fifth line of section three, to the word "at" in the sixth line, was stricken out.

On motion of Mr. H. L. Miller, section nine was stricken out.

On motion of Mr. H. L. Miller, section ten was amended by striking out all after the word "sold" in the third line, to the words "the same" in the sixth line, and by striking out the words "in either case" in the sixth line.

On motion of Mr. Baldwin,

The vote was reconsidered, by which the House refused to strike out the words 'one year' and insert 'two years' in the fifth line of section six, and the question recurring upon striking out and inserting, it prevailed.

Mr. Shurtz offered the following to stand as section two:

Section 2. And all mortgages heretofore executed, shall be foreclosed in the manner prescribed by law in force when such mortgages were executed, and for the purpose of such foreclosure, such law is hereby revived," pending which,

Mr. Van Husean moved an adjournment, which was lost.

On motion of Mr. Joslin, the bill was recommitted to a select committee.

On motion of Mr. Leland, the House adjourned.

—  
*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry, Griffin, O. Miller, R. D. Power, Ramsdell, Schoolcraft, Sheldon and Snell were absent on leave, and Messrs. M. Hall, McLeod, Murphy, Rix and H. N. Walker absent without leave.

On motion of Mr. Videto,

The vote was reconsidered by which the House refused to pass the "bill to lay out, establish, and provide for the construction of a state road from the village of Hastings to the village of Grand Rapids," and the bill being before the House,

On motion of Mr. Parmelee, the word "two" before 'miles' in the tenth line of section 3, was stricken out, and 'one' inserted.

The bill was then passed by the following vote:

YEAS.

Mr. Adams,	Mr. Knight,	Mr. Rowland,
Ames,	Knowlton,	Runyan,
Baldwin,	Lamond,	Saunders,
Chester,	Leland,	Shurtz,
Davis,	H. L. Miller,	Stone,
Dunham,	Mosher,	Tillson,
Ferguson,	Parmelee,	Videto,
H. Hall,	P. Power,	D. C. Walker,
Hawley,	Porter,	White,
Hebard,	Pratt,	Speaker, 30

NAYS.

Mr. Barnard,	Mr. Haydon,	Vickery,
Blindbury,	Ruehle,	Van Husean,
Delamatter,		7

On motion of Mr. Parmelee, the title of the bill was amended by striking out "Hastings," and inserting Battle Creek, and the title, as amended, was agreed to.

The following message was received from the Executive :

EXECUTIVE OFFICE,  
Detroit, February 16, 1844. }

To the House of Representatives :

I have this day approved, signed and deposited in the office of the

secretary of state "an act to amend an act entitled 'an act to incorporate the village of Jackson,' " approved March 7th, 1843.

Also, "an act to extend the time for the completion of the Havre Branch railroad."

JNO. S. BARRY.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
February 16, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "bill to amend an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of the State," and to inform the House that the Senate have passed the same with sundry amendments, in which they respectfully ask the concurrence of the House.

JAS. E. PLATT,  
*Secretary of Senate.*

The Senate amendments to the "bill to amend an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of the state," were severally concurred in and the bill ordered to be enrolled.

The House then took up the "bill to amend 'an act to repeal a part of chapter eight, title five, part first of the revised statutes, and for other purposes.'"

Mr. Stone moved to strike out the proviso, to the first section, which did not prevail.

Mr. Hawley moved to strike out all after the enacting clause, pending which,

On motion of Mr. Rowland, the bill was laid upon the table.

The House then took up the "bill to establish a land office, to prescribe and regulate the disposition of the public lands, and for other purposes," and the question pending being on filling the blank in the tenth section with the word "eleven," pending which,

Mr. Rowland moved to insert "fifteen," which was lost by the following vote:

YEAS.

Mr. Ames,  
Haydon,  
Hebard,

Mr. Murphy,  
Ruehle,  
Rowland,

Mr. Saunders,  
Shartz,

## NAYS.

Mr. Adams,	Mr. M. Hall,	Mr. Pratt,
Barnard,	Joslin,	Rix,
Baldwin,	Knight,	Runyan,
Blindbury,	Knowlton,	Stone,
Chester,	Lamond,	Tillson,
Davis,	Leland,	Videto,
Delamatter,	Livermore,	Vickery,
Dunham,	Mosher,	Van Husan,
Fairfield,	Parmelee,	D. C. Walker,
Ferguson,	P. Power,	White,
H. Hall,	Porter,	Speaker, 33

Mr. Knight moved to insert "twelve dollars and fifty cents," pending which,

On motion of Mr. Pratt, the bill was laid on the table.

The "bill relative to the registry of certain deeds" was taken up, and,

On motion of Mr. Chester, the bill was laid on the table.

The House then took up the "bill to amend chapter three, title three, part first of the revised statutes, relative to the duties of county surveyors."

Mr. H. L. Miller moved to strike out all after the enacting clause; pending which,

On motion of Mr. Joslin, the bill was committed to a select committee.

The Speaker announced as such committee, Messrs. Hawley, Joslin and Videto.

The House then took up the "bill to provide for the report of the decisions of the supreme court and court of chancery."

Mr. Porter moved to postpone the bill indefinitely; which motion was lost, by the following vote:

## YEAS.

Mr. Ames,	Mr. Hebard,	Mr. P. Power,
Barnard,	Knight,	Porter,
Delamatter,	Knowlton,	Vickery,
H. Hall,	Leland,	

11

## NAYS.

Mr. Adams,	Mr. Joslin,	Mr. Runyan,
Baldwin,	Lamond,	Saunders,
Blindbury,	Livermore,	Shurtz,
Chester,	McLeod,	Stone,
Davis,	H. L. Miller,	Tillson,

Dunham,  
Fairfield,  
Ferguson,  
M. Hall,  
Hawley,  
Haydon,

Mosher,  
Murphy,  
Parmelee,  
Ruehle,  
Rix,  
Rowland,

Videto,  
Van Husean,  
D. C. Walker  
H. N. Walker,  
White,  
Speaker, 33

On motion of Mr. D. C. Walker, the bill was laid on the table.

On motion of Mr. Parmelee,

The "bill to amend the twenty-first section of 'an act to provide for the assessment and collection of taxes,' approved March 8, 1843," was referred to the select committee on the subject of the tax law.

The House then took up the "bill for the relief John Silk."

Mr. Baldwin moved to strike out all after the enacting clause; which motion, after some debate, was withdrawn.

Mr. D. C. Walker moved to strike out the words "general fund," in the fourth line of section one, and insert "internal improvement fund."

Mr. Joslin moved to amend the amendment, by striking out "internal improvement fund," and inserting "proceeds of the Southern railroad;" which amendment was accepted by the mover, and the amendment, as amended, was adopted.

Mr. Pratt offered the following, to stand as section two:

"Sec. 2. That five hundred dollars be appropriated out of the internal improvement fund, to the widow and orphan children of Robert Greenfield, who was killed in removing an engine belonging to the state, from the wharf in Detroit to the Central railroad."

Mr. Chester moved to amend the amendment, by striking out "internal improvement fund," and inserting, "proceeds of the Central railroad;" which motion did no prevail.

Mr. Hawley moved to strike out the word "five," before "hundred," and insert "three;" which was lost.

The question then recurring on the amendment, it was lost by the following vote:

#### YEAS.

Mr. Baldwin,  
Blindbury,  
Davis,  
Hawley,

Mr. Lamond,  
H. L. Miller,  
Pratt,  
Ruehle,

Mr. Rowland,  
Saunders,  
H. N. Walker,  
White, 12

#### NAYS.

Mr. Adams,

Mr. Joslin,

Mr. Rix,

Ames,	Hebard,	Runyan,
Barnard,	Knight,	Shurtz,
Chester,	Leland,	Stone,
Delamater,	Livermore,	Tillson,
Dunham,	McLeod,	Videto,
Fairfield,	Mosher,	Vickery,
Ferguson,	Murphy,	Van Huse,
H. Hall,	Parmelee,	D. C. Walker,
Haydon,	P. Power,	Speaker. 30

On motion of Mr. Stone, the words "three hundred dollars" were stricken out, and "two hundred and forty acres of land" inserted.

On motion of Mr. D. C. Walker, all after the word "land" was stricken out.

Mr. H. N. Walker moved to strike out the words "the auditor general is hereby authorized and required to issue his warrant," and insert "the Governor is hereby authorised and required to issue his patent," which motion was lost.

Mr. H. N. Walker moved the indefinite postponement of the bill which motion was lost by the following vote:

## YEAS.

Mr. Barnard,	Mr. Livermore,	Mr. Rowland,
Baldwin,	H. L. Miller,	Videto,
Blindbury,	Parmelee,	Van Huse,
Hawley,	Porter,	D. C. Walker,
Haydon,	Pratt,	H. N. Walker,
Joslin,	Ruehle,	Speaker,
Knight,		19

## NAYS.

Mr. Adams,	Mr. H. Hall,	Mr. Rix,
Ames,	Hebard,	Runyan,
Chester,	Knowlton,	Saunders,
Davis,	Lamond,	Shurtz,
Delamatter,	McLeod,	Stone,
Dunham,	Mosher,	Tillson,
Fairfield,	Murphy,	Vickery,
Ferguson,	P. Power,	White, 24

Mr. Stone offered the following as a substitute for the bill, which was adopted :

"Section 1. Be it enacted by the Senate and House of Representatives of the State of Michigan, That there be and hereby is appropriated to John Silk two hundred and forty acres of the internal improvement lands of the State of Michigan, and the commissioner of

the land office of this state is hereby authorized and directed to issue a certificate therefor to John Silk, his heirs and assigns."

Mr. Poster moved to lay the bill on the table, which motion was lost.

The bill was then ordered to be engrossed for a third reading by the following vote :

## YEAS,

Mr. Adams,	Mr. H. Hall,	Mr. Rix,
Ames,	M. Hall,	Runyan,
Chester,	Hebard,	Saunders,
Davis,	Knowlton,	Shurtz,
Delematter,	Lamond,	Stone,
Dunham,	Leland,	Tillson,
Fairfield,	McLeod,	Vickery,
Ferguson,	Murphy,	White,

24

## NAYS.

Mr. Barnard,	Mr. Livermore,	Mr. Ruehle,
Baldwin,	Mosher,	Rowland,
Blindbury,	H. L. Miller,	Videto,
Hawley,	Parmelee,	Van Husean,
Haydon,	P. Power,	D. C. Walker,
Joslin,	Porter,	H. N. Walker,
Knight,	Pratt,	Speaker,

21

Mr. Ruehle gave notice that on some future day he should ask leave to introduce a bill to amend an act entitled "an act in relation to the fire department and firemen of the incorporated cities and villages of this state.

The Speaker announced a communication from the state Geologist.

On motion of Mr. McLeod, it was laid on the table and ordered printed.

Mr. Shurtz, from the committee on roads and bridges, reported back the petition of Charles W. Westfall and others, and moved that it be referred to the committee on banks and incorporations, which motion prevailed.

Mr. Lamond moved an adjournment, which was lost.

The House then went into committee of the whole on the general order, Mr. D. C. Walker in the chair, and after a short time spent thereon, the committee rose and by their chairman reported that they had had under consideration a "bill to prohibit the circulation of small bills," which they reported back without amendment.



Mr. Porter moved an adjournment, which was lost.

Mr. H. L. Miller moved to strike out all after the enacting clause of the bill, pending which,

On motion of Mr. Porter, the bill was postponed till Tuesday next.

Mr. Murphy moved to adjourn till Monday next, which motion was lost.

On motion of Mr. Delamatter, the House adjourned.

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*Saturday, February 17, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry, O. Miller, R. D. Power, Ramsdell, Schoolcraft and Sheldon, were absent on leave, and Messrs. Griffin and Hawley, absent without leave.

Prayer by Rev. Mr. Billings.

The journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Joslin, of A. W. Elmer, for leave to redeem a school lot of land. Referred to the committee on public lands.

By Mr. P. Power, of near one thousand legal voters, citizens of Detroit, praying the legislature to so alter the license laws, that the voters of each town may at their annual town meetings regulate their own rum-sellers. Referred to the select committee on that subject.

By Mr. Joslin, of G. T. Gridley, and 77 others, on the same subject as the foregoing. Referred to the same committee.

#### REPORTS.

Mr. D. C. Walker from the committee on ways and means, to whom was referred the petition of citizens of Allegan county, asking the passage of a law directing the tax sale advertisements to be published in newspapers instead of pamphlets, reported the same back, and reported that the object of the petitioners is already provided for by a bill heretofore reported by the committee.

The report was accepted and the committee discharged.

Also, from the same committee to whom was referred the petition of citizens of Van Buren county, for an appropriation on the Central railroad, reported the same back, and asked to be discharged, on

the ground that the petition should be referred to its appropriate committee on internal improvement.

The report was accepted and the committee discharged.

Also, from the same committee, to whom was referred certain resolutions of a meeting in Van Buren county, made a report.

The question being on the acceptance of the report, it was not accepted, by the following vote :

## YEAS.

Mr. Adams	Mr. M. Hall,	Mr. Rowland,
Berry,	Joslin,	Saunders,
Blindbury,	Knight,	Tillson,
Chester	Murphy	Videto,
Dunham,	P. Power,	Van Husan,
Fairfield,	Pratt,	D. C. Walker,
H. Hall,	Rix,	Speaker, 21

## NAYS,

Mr. Ames,	Mr. Knowlton	Mr. Ruehle,
Barnard,	Lamond,	Runyan,
Baldwin,	Leland,	Shurtz
Davis,	Livermore,	Snell,
Delamatter,	McLeod,	Stone,
Ferguson	H. L. Miller	Vickery,
Haydon,	Parmelee,	H. N. Walker,
Hebard	Porter,	White, 24

Also, from the same committee, to whom was referred the Senate "bill to amend an act entitled 'an act to require an annual settlement with the state, of certain state officers and agents, and for other purposes,' approved February 4, 1842," reported the same back and recommended its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Also, from the same committee, to whom were referred the petitions of two hundred inhabitants of Van Buren county, for the repeal or modification of existing tax laws, reported the same back, and reported that no legislation is necessary, of the character asked for by the petitioners.

The report was accepted and the committee discharged.

Mr. Murphy, from the committee on banks and incorporations, made the following report:

The committee on banks and incorporations, to whom was referred the "bill for the incorporation of the Oak Hill cemetery company,"

respectfully report that, an act entitled "an act granting certain corporate powers to the joint owners of burial grounds," approved March 31, 1840, provides for corporations similar to the one under consideration by your committee.

That act provides that any seven or more persons, who may become the joint owners of any piece or parcel or land for the purpose of having the same used as a burying ground, may form themselves into a corporation, under such corporate name as they shall adopt, and, when organized, they shall have all the privileges and powers, and be subject to all the duties and liabilities of a corporation organized according to part one, title ten, chapter three of the revised statutes of the state of Michigan; and the committee therefore ask to be discharged from the further consideration of the bill.

The report was accepted, the committee discharged and the bill referred to the committee of the whole.

Mr. Pratt, from the committee on enrollment and engrossment, made the following report, which was accepted:

The committee on enrollment report as correctly enrolled, "a bill to amend an act entitled 'an act to provide for the issuing and return of venires, the appointment of circuit court commissioners, and for other purposes,' approved March 9, 1843."

Also, "a bill to amend 'an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of the state;'" and that the same have this day been presented to the governor for his signature.

Also, from the same committee, reported as correctly engrossed, "a bill to amend 'an act to provide for the organization of courts of special sessions, and to define their powers and duties,'" and "a bill for the relief of John Silk."

Mr. Dunham, from the committee on printing, to whom was referred the Senate "joint resolution relative to the payment of the contracts for state printing and binding," reported the same back and recommended its passage.

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Mr. H. L. Miller, from the committee on ways and means, to

whom was referred resolutions passed by a meeting in Lapeer county made a report which was not accepted.

Mr. Shurtz, from the committee on roads and bridges, made the following report:

The committee on roads and bridges, to whom was referred a petition from inhabitants of Allegan county, asking the passage of a law authorizing the receipts of all the highway taxes on non-resident lands within three miles of said road, to be expended on the same for the term of three years, on a state road running from Allegan to Grandville, respectfully report that they have had the same under consideration and find from several facts that great advantage may be derived by granting the prayer of your petitioners. Therefore your committee beg leave to report the following bill:

Also, a bill from the Senate to authorize the commissioners of highways of the township of Marshall to order and direct where a portion of certain highway labor shall be laid out, report the same back to the House and recommend its passage.

The report was accepted, and the committee discharged, and the Senate "bill to authorize the commissioners of highways of the township of Marshall" to order and direct where a portion of certain highway labor shall be laid out, was referred to the committee of the whole.

The "bill to provide for the construction and improvement of a road running from Allegan in the county of Allegan, to Grandville, in the county of Kent," was read twice, referred to the committee of the whole and ordered printed.

Mr. H. N. Walker, from the committee on public lands made the following report:

The committee on public lands have had the petition of John Parkinson under consideration, and report that it appears from his statement, that he has been unjustly deprived of the land he purchased of the superintendent of public instruction, and thus been unable to continue his payments, under the circumstances as set forth in the petition, the committee have instructed me to report a joint resolution for his relief.

The report was accepted, the committee discharged, and the "joint resolution for the relief of John Parkinson" was read twice, referred to the committee of the whole, and ordered printed.

Also, from the same committee, made the following report:

The committee on public lands have had under consideration the petition of Samuel Morgan, and have instructed me to report a joint resolution for his relief. The reasons which induced the majority of the committee to consider favorably this application, was the fact that appears from the memorial, that it was not the fault of Mr. Morgan that the land was forfeited; he having purchased his interest from another individual, and that person suffered a default upon that portion of the land that he had retained, which drew with it a forfeiture of the land of the petitioner.

The report was accepted, the committee discharged and the joint resolution for the relief of Samuel Morgan was read twice, referred to the committee of the whole, and ordered printed.

Mr. Vickery from the committee on claims made the following report which was accepted and the committee discharged:

The committee to whom were referred the claims of sundry individuals, predicated on certificates, drafts and promissory notes made by Benjamin Porter, acting commissioner of the state prison in the years 1838 and '39, report:

That a portion of said claims were included in the settlement made with said commissioner in December 1839, by a committee appointed for that purpose by the legislature, viz:

Claim of Jno. Rhinefrank,	\$56 15
John Cockburn, two notes amounting to	21 48
S. Stevens,	12 26
Wm. Cowdin,	10 32
Thos. Canigan,	3 00
Thos. Canigan,	13 12
N. S. Skinner,	10 50
Thos. Cullen,	50 00
Thos. Cullen,	63 80
Edward Miller,	23 88

The remaining claims, J. H. Dubors, John Clark, P. Easterly, William Cowdin and M. Fallaher, amounting to 120 dollars and 18 cents, are *presumed* to have been settled, although no positive evidence of that fact has come to the knowledge of your committee.—It is believed that Mr. Porter in executing notes of hand, or other

evidences of debt, exceeded his authority, as agent of the State, and became personally responsible. "An agent constituted for a particular purpose, and under a limited power, cannot bind his principal, if he exceeds his power. Whoever deals with an agent constituted for a special purpose, deals at his peril, when the agent passes the precise limits of his power."

Besides, it is necessary that an agent act in the name of his principal. But Mr. Porter in executing a majority of the obligations above alluded to, did not sign them *officially*. The words "acting commissioner" are affixed to the signature of some of them, but in several instances, this is done in a different hand writing, with different ink, and therefore, it is presumable, at a period subsequent to the making of the contracts. Again: your committee believe that an agent cannot discharge the special trusts reposed in him, by proxy. The maxim is that the agent cannot "turn his principal over to another of whom he knows nothing." Now nearly all of these promissory notes, were drawn and executed, not by Benj. Porter, but by "C. R. Ganson," who is to be considered, perhaps, as a sub-agent whom the State is under obligation to recognize.

If the State, then, is not *legally* bound to acknowledge these claims we think it is not equitably bound to do so; and in support of this opinion, we refer to the reports of investigating committees in relation to the State Prison, made in 1839, also to the report made in 1840, on this subject.

All of which the committee respectfully submit, and ask to be discharged.

On motion of Mr. Livermore, the claimants had leave to withdraw their claims.

Mr. Rix, from the committee on the militia, reported "A bill supplementary to an act providing for the more effectual organization and discipline of the militia," which was read twice, referred to the committee of the whole, and ordered printed.

Mr. Murphy, from the committee on banks and incorporations, made the following report, which was accepted, and the committee discharged.

The committee on banks and incorporations to whom was referred the petition of E. D. Post and other citizens of the village of Adrian

asking for an amendment to the village charter, respectfully report, that a bill has already been reported by your committee in accordance with the prayer of the petitioners, and they therefore ask to be discharged from the further consideration thereof.

Mr. McLeod, from the committee on the judiciary, made the following report:

The judiciary committee to whom was referred Senate bill No. 19, "to establish a board of county auditors for Wayne county, and for other purposes," have had the same under consideration, and have instructed me to report back the bill without amendment, and respectfully to recommend its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Rowland moved to discharge the committee of the whole, from the consideration of the bill and that the same be taken up in the House, which motion was lost.

Mr. McLeod, from the committee on the judiciary, made the following report:

The judiciary committee to whom was referred a Senate bill "to authorize the minor heirs of the late Jared B. Higbee, deceased, to release their claim to a certain tract of land," have had the same under consideration and have instructed me to report back the bill to the House, and respectfully to recommend that it do not pass. The committee report adversely, from the fact that the party aggrieved has a perfect remedy in Chancery, and that no evidence was laid before your committee to warrant them in departing from the general principle that special legislation should be always avoided.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

#### MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. H. N. Walker gave notice that on some future day he should ask leave to introduced a "bill to provide for the limitations of certain actions therein mentioned," and also, a "bill to regulate the terms of the supreme court and the court of chancery."

Mr. Ruehle, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act in relation to the fire department and firemen of the incorporated cities and villages of this state," and

Messrs. Ruehle, H. N. Walker and Livermore were appointed a committee to bring in the bill.

Mr. D. C. Walker, pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Detroit and Port Huron plank road company," and Messrs. D. C. Walker, Rix and Davis, were appointed a committee to bring in the bill.

On motion of Mr. Delamatter,

*Resolved*, That when this House adjourn, it will adjourn till ten o'clock A. M., of Monday next.

The Speaker announced as the select committee to whom was referred the "bill to provide for the foreclosure of mortgages," Messrs. H. N. Walker, Joslin, Shurtz, Haydon and Pratt.

The "bill to amend an act entitled 'an act to provide for the assessment and collection of taxes,' approved March 8, 1843," was read the third time, and the question being on its passage,

Mr. Stone moved that it be recommitted to the committee on ways and means, with instructions to strike out of section 8, the following words: "Provided that the lands delinquent for taxes for the year 1843 shall be advertised to be sold with the lands delinquent for taxes for the year 1844, on the first Monday of October 1845," and also, the word "and" in line 10, and the word "also" in line 11 of said section 8.

On motion of Mr. H. N. Walker,

The motion was amended, by adding thereto, and strike out the words in section 8, "in a newspaper in the nearest county where there is one printed," and insert "in a newspaper printed at the seat of government."

The motion to recommit with instructions, as amended, then prevailed.

The "bill to amend 'an act to provide for the organization of courts of special sessions, and to define their powers and duties'" was read a third time and passed by the following vote:

YEAS.

Mr. Adams,  
Ames,  
Blindbury,  
Davis,  
Delamatter,  
Fairfield,

Mr. Joslin,  
Knight,  
Lamond,  
Livermore,  
P. Power,  
Porter,

Mr. Rowland,  
Saunders,  
Shurtz,  
Videto,  
Van Husan,  
H. N. Walker,



H. Hall,  
M. Hall,Pratt,  
Ruehle,

Speaker,

23

## NAYS.

Mr. Barnard,  
Baldwin,  
Chester,  
Dunham,  
Haydon,  
Hebard,Mr. Knowlton,  
Leland,  
McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,Mr. Runyan,  
Snell,  
Stone,  
Tillson,  
Vickery,  
D. C. Walker, 18

The "bill for the relief of John Silk" was read a third time and the question being on its passage, it was lost by yeas and nays as follows:

## YEAS.

Mr. Adams,  
Berry,  
Chester,  
Davis,  
Delamatter,  
Dunham,Mr. Fairfield,  
Hebard,  
Knowlton,  
Lamond,  
McLeod,  
Murphy,Mr. P. Power,  
Ruehle,  
Runyan,  
Saunders,  
Shurtz,  
Stone. 18

## NAYS.

Mr. Ames,  
Barnard,  
Baldwin,  
Blindbury,  
M. Hall,  
H. Hall,  
Haydon,  
Joslin,Mr. Knight,  
Leland,  
Livermore,  
H. L. Miller,  
Parmelee,  
Porter,  
Pratt,  
Rowland,Mr. Snell,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker, 24

The House then took up the unfinished business, being the "bill to amend an act to repeal a part of chapter eight, title five, part first of the revised statutes, and for other purposes."

On motion of Mr. H. N. Walker, the words "approved February 17, 1842" was inserted after the word "purposes."

On motion of Mr. H. N. Walker, the following was adopted as an independent section:

Sec. That the moneys paid into any township, village or city treasury, under the provision of an act to which this act is amendatory, in those townships, villages and cities, where there is no township, village or city poor recognized, shall be appropriated to the purchase of township, village or city libraries.

Mr. Joslin moved to amend by striking out all after the enacting clause and inserting the following:

"That sections 2 and 3 of an act to repeal a part of chapter 8 title

5, part first of the revised statutes, and for other purposes, approved February 17, 1842, be and the same is hereby repealed."

Mr. H. N. Walker moved to amend the amendment, by inserting between '1842' and 'be' the following: "and so much of all the characters of cities or villages in this state as authorizes the licensing of taverns, vitualling houses, ordinaries, or for sale of spirituous liquors, be and the same are hereby repealed," which amendment was accepted by Mr. Joslin.

The question being on the amendment as amended.

On motion of Mr. Pratt,

The bill was indefinitely postponed by the following vote:

#### YEAS.

Mr. Blindbury,	Mr. Hebard,	Mr. Pratt,
Chester,	Knowlton,	Rowland,
Davis,	Lamond,	Runyan,
Dunham,	Leland,	Saunders,
Fairfield,	McLeod,	Videto,
Ferguson,	H. L. Miller,	Vickery,
H. Hall,	Mosher,	Van Husan,
M. Hall,	Murphy,	White,
Haydon,	Parmelee,	

26

#### NAYS.

Mr. Adams,	Mr. Livermore,	Mr. Snell,
Ames,	P. Power,	Stone,
Barnard,	Porter,	Tillson,
Baldwin,	Ruehle,	D. C. Walker,
Delamatter,	Rix,	H. N. Walker,
Joslin,	Sturtz,	Speaker,
Knight,		

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Mr. Saunders asked and obtained leave of absence for Mr. Blindbury till Tuesday.

Mr. Haydon for Mr. Griffin till Wednesday.

On motion of Mr. Leland, the House adjourned.

#### *Monday, February 19, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Blindbury, Griffin, O. Miller, and Schoolcraft, were absent on leave, and Messrs. Hawley, Saunders and Sheldon, absent without leave.

Prayer by Rev. Mr. Boughman.

The journal of Saturday was read and approved.

## PETITIONS.

By Mr. Ames, of forty-eight legal voters of the county of Berrien, for the passage of a law for the better protection of personal liberty. Laid on the table.

Also, of forty-three legal voters of the county of Berrien, for the expunction of the word "white" from the second article of the constitution of this state. Laid on the table.

By Mr. Chester, two petitions of inhabitants of Hillsdale and Lenawee counties, relative to the construction of a certain road. Referred to the committee on banks and incorporations.

By the Speaker, the claim of Messrs. Blair & Rives. Referred to the committee on claims.

By Mr. Shurtz, the petition of thirty-two inhabitants of the county of Cass, for a law in relation to granting license for the sale of ardent spirits. Referred to the select committee on that subject.

By Mr. Murphy, the claim of Charles Butler. Referred to the committee on claims.

## REPORTS.

Mr. D. C. Walker, from the committee on ways and means, to whom was referred the bill to amend the tax law, with instructions, reported the same back with the amendments ordered in the instructions. The report was accepted and the committee discharged.

Mr. M. Hall, from the committee on public lands, made the following report:

The committee on public lands, to whom was referred the petition of Lucy Stephens, have had the same under consideration, and find the following facts:—That John Stephens, the husband of the petitioner, purchased of the state one hundred acres of school land and paid towards the same the sum of fifty dollars, and that, soon after, the said John Stephens died and the land became forfeited; that the petitioner, by the assistance of her neighbors, has since been enabled to re-enter forty acres of said land, and now asks that the fifty dollars aforesaid may be applied towards the payment of the same;—and, in view of the above statement of facts, have instructed me to report the following bill.

The report was accepted, the committee discharged, and the "bill for the relief of Lucy Stephens," was read twice, referred to the committee of the whole and ordered printed.

Mr. H. N. Walker from the committee on public lands made the following report, which was accepted and the committee discharged.

The committee on public lands have had under consideration the petition of John Patterson asking that a law be passed for the appraisal of a certain section of university lands, and that he may be permitted to purchase the same at the appraised value, have instructed me to report, that no facts have been submitted to the committee calling for the passage of such a law, and they can see no reason why the section of land referred to should not come under the general law on this subject. They therefore report against the prayer of the petition.

Also from the same committee made the following report, which was accepted and the committee discharged.

The committee on public lands have had under consideration the petition of school district No. 7, in Branch county, asking that the commissioner of the land office have power granted to sell one half acre of a section of university lands, for the site of a school house, have instructed me to report, that by the provisions of the bill now before the house to establish a land office, &c., the commissioner will have all the power asked for by the petitioners, and that no further bill will be necessary.

Also from the same committee, made the following report, which was accepted and the committee discharged.

The committee on public lands have had the petition of Joseph McKnight and others under consideration, asking that certain lands belonging to the university may be sold for two dollars an acre, and have instructed me to report, that there does not appear to be any reason why the petition should be granted, and are therefore compelled to report adversely to the prayer of the petitioner.

Also from the same committee, made the following report which was accepted, and the committee discharged.

The committee on public lands have had under consideration the petition for the establishment of a branch of the land office at Grand Rapids, and have instructed me as chairman to report that it is inexpedient. The expense attending the establishment of a branch would be, in the opinion of the committee, greater than the benefits to be derived from the same.

Mr. D. C. Walker from the select committee appointed for that pur-

pose, reported a "bill to incorporate the Detroit and Port Huron plank road company," which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Ruehle from the select committee appointed for that purpose, reported a "bill to amend an act in relation to the fire department and firemen of the incorporated cities and villages of this state," which was read twice referred to the committee on banks and incorporations, and ordered printed.

Mr. Haydon from the select committee appointed for that purpose, reported a "bill to improve the navigation of the Paw Paw river," which was read twice, referred to the committee of the whole and ordered printed.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Leland moved to reconsider the vote by which the "bill for the relief of John Silk" was lost, which motion prevailed by the following vote :

## YEAS.

Mr. Adams,	Mr. H. Hall,	Mr. Pratt,
Ames,	M. Hall,	Ruehle,
Barnard,	Haydon,	Rowland,
Berry,	Hebard,	Runyan,
Chester,	Joslin,	Shurtz,
Davis,	Knowlton,	Stone,
Delamatter,	Leland,	Tillson,
Dunham,	McLeod,	H. N. Walker,
Fairfield,	Murphy,	White,
Ferguson,		

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## NAYS.

Mr. Baldwin,	Mr. P. Power,	Mr. Videto,
Knight,	Porter,	Vickery,
Livermore,	Ramsdell,	Van Husan,
H. L. Miller,	Rix,	D. C. Walker,
Parmelee,	Snell,	Speaker,

15

The question then recurring on the passage of the bill, it was lost by yeas and nays, as follows :

## YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. Pratt,
Ames,	Hebard,	Ruehle,
Berry,	Knowlton,	Runyan,
Chester,	Lamond,	Shurtz,
Davis,	McLeod,	Stone,
Delamatter,	Murphy,	White,
Dunham,	R. D. Power,	

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## NAYS.

Mr. Barnard,  
Baldwin,  
H. Hall,  
M. Hall,  
Haydon,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
H. L. Miller,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Rix,  
Rowland,

Mr. Snell,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker.  
Speaker, 24

Mr. Baldwin pursuant to previous notice, asked asked and obtained leave to introduce a bill to amend an act to define the powers and duties of justices of the peace in civil proceedings, and Messrs. Baldwin, H. N. Walker and Livermore, were appointed a committee to bring in the bill.

Mr. Joslin offered the following resolution :

*Resolved*, That the special committee to whom was referred the bill making appropriations on the Central railroad be further instructed to ascertain and report what amount of outstanding obligations have been issued against the 500,000 acres of land granted by Congress to this State, and whether there are any, if so, what amount of lands are now held by the State and which can be appropriated without a breach of faith of the sale to those holding the warrants heretofore issued, and also whether any reliance can be placed upon the receipts of the Central railroad for the payment of an appropriation if one is made before July 1845, when the same are pledged to the bondholders to pay the interest on the public debt.

On motion of Mr. Fairfield, the resolution was amended by striking out the words "special committee to whom was referred the bill making appropriations on the Central railroad be further" and inserting "the board of internal improvement."

On motion of Mr. D. C. Walker, the word "instructed" was stricken out, and "requested" inserted.

The resolution, as amended, was then adopted.

Mr. Runyan, pursuant to previous notice, asked and obtained leave to introduce a bill to define and protect the rights of married women; and Messrs. Runyan, Pratt and Fairfield, were appointed a committee to bring in the bill.

The "bill to amend an act entitled 'an act to provide for the assessment and collection of taxes,' approved March 8, 1843," was read, and the question being on its passage,

On motion of Mr. Joslin,

The unanimous consent of the House was given to the offering of the following amendment, to stand as section ten:

"Sec. 10. The twenty-first section of the act to which this act is amendatory, be, and the same is hereby amended, by striking out of the fifth line of said section the words, "first Monday of October," and by inserting in the place of said words, the words, "second Monday of October."

The amendment was then adopted and the bill was passed, by the following vote:

#### YEAS.

Mr. Adams,	Mr. Hebard,	Mr. Ruehle,
Ames,	Joslin,	Rix,
Baldwin,	Knowlton,	Runyan,
Chester,	Lamond,	Shurtz,
Delamatter,	Leland,	Stone,
Dunham,	Livermore,	Tillson,
Ferguson,	Mosher,	Videto,
M. Hall,	P. Power,	D. C. Walker,
Haydon,	Ramsdell,	Speaker,

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#### NAYS.

Mr. Barnard,	Mr. Parmelee,	Mr. Snell,
Davis,	R. D. Power,	Vickery,
H. Hall,	Porter,	Van Husan,
McLeod,	Pratt,	H. N. Walker,
H. L. Miller,	Rowland,	White,
Murphy,		

16

The House took up the "bill to provide for the report of the decisions of the supreme court and the court of chancery."

Mr. H. N. Walker offered a substitute for the bill, and,

On motion of Mr. D. C. Walker,

The bill and substitute were laid on the table, and the substitute was ordered printed.

The House then took up the "bill to provide for the registry of certain deeds."

Mr. Shuriz moved to commit the bill to a select committee; which motion was lost.

Mr. Barnard moved the indefinite postponement of the bill; which motion, after some discussion, was withdrawn.

On motion of Mr. H. N. Walker,

The words "and delivered," were inserted in the third line, after the word "executed."

Mr. Ramsdell moved to lay the bill on the table; which motion did not prevail.

The bill was then ordered to be engrossed, by the following vote:

## YEAS.

Mr. Adams,	Mr. M. Hall,	Mr. Porter,
Ames,	Haydon,	Pratt,
Baldwin,	Hebard,	Rushle,
Chester,	Joslin,	Rix,
Davis,	Loland,	Runyan,
Dunham,	Livermore,	Stone,
Fairfield,	Murphy,	D. C. Walker,
Ferguson,	Parmelee,	H. N. Walker,
H. Hall,		25

## NAYS.

Mr. Barnard,	Mr. Mosher,	Mr. Tillson,
Delamatter,	P. Power,	Videto,
Knight,	Ramsdell,	Vickery,
Knowlton,	Shurtz,	Van Husan,
McLeod,	Snell,	Speaker,
H. L. Miller,		16

The House then took up the "bill to organize a land office," &c.

Mr. Pratt moved to postpone the bill to Friday next.

Mr. H. L. Miller moved to amend the motion by postponing till the first day of March next, which was lost.

The question then recurring on the motion to postpone till Friday next, it prevailed.

Mr. Vickery moved an adjournment, which was lost.

The House then resolved itself into committee of the whole on the general order, Mr. H. N. Walker in the chair, and after a short time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a "bill to grant a right of pre-emption to Stephen J. Morse and William M. Springer," which they reported back with sundry amendments, in which the concurrence of the House was asked.

Mr. Stone moved an adjournment, which was lost.

The amendments made in committee of the whole were then non-concurred in.

On motion of Mr. Dunham, the House adjourned.



*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Blindbury, Griffin, O. Miller and Schoolcraft were absent on leave, and Messrs. Delamatter, M. Hall, Haydon, McLeod, Mosher, Murphy, Parmelee, Pratt, Saunders, Videto, Vickery, and H. N. Walker were absent without leave.

Mr. Knight asked leave of absence for Messrs. McLeod and Murphy for one hour, which was refused.

The House took up the "bill to grant a right of pre-emption to Stephen J. Morse and William M. Springer."

On motion of Mr. D. C. Walker,

A call of the House was had, and Messrs. Delamatter, Haydon, McLeod, Parmelee, Pratt, Saunders, Videto, Vickery, and H. N. Walker were absent without leave.

On motion of Mr. D. C. Walker, the sergeant-at-arms was sent for the absentees.

Messrs. Haydon and Parmelee having returned,

On motion of Mr. Porter, all further proceedings under the call were dispensed with.

The House then resumed the consideration of the "bill granting a right of pre-emption to Stephen J. Morse, and William M. Springer."

On motion of Mr. Stone, all after the word "acre" in the sixth line of section 2 was stricken out.

Mr. D. C. Walker moved to strike out of the sixth line of the first section, the words "one dollar and twenty-five cents," and insert "five dollars," pending which,

On motion of Mr. Dunham, the bill was laid on the table.

Mr. Runyan, on leave, presented the claim of Williams & Cole. Referred to the committee on claims.

The Speaker announced the following communication from the Senate:

SENATE CHAMBER, }  
February 19, 1844. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit a "joint resolution relative to the reading of the farewell address of Washington," which the Senate have adopted, and in which they respectfully ask the concurrence of the House.

Also, to return the "bill to establish certain roads therein mention-

ed, and for other purposes," and to respectfully inform the House that the Senate insist upon the amendments thereto.

JAMES E. PLATT,

*Secretary of the Senate.*

The "joint resolution relative to the reading of the farewell address of Washington," was read, and under the rule lays on the table one day.

On motion of Mr. Joslin, the rule was suspended and the resolution was then taken up and adopted.

On motion of Mr. D. C. Walker, the House asked the appointment of a committee of conference on the disagreement between the two Houses on the "bill to establish certain roads therein mentioned and for other purposes."

The House then resolved itself into committee of the whole on the general order, Mr. Rowland in the chair; and after some time spent thereon, the committee rose, and, by their chairman, reported that they had had under consideration "a bill to amend section one, chapter one, title two, part second of the revised statutes, relative to the descent of real estate;" "a bill to organize certain townships, and for other purposes;" "a bill to organize a certain township;" and, "a bill to change the name of the township of Canaan:" which they reported back with sundry amendments, in which the concurrence of the House was asked.

The amendments to the "bill to amend section one, chapter one, title two, part second of the revised statutes relative to the descent of real estate," were concurred in.

Mr. H. L. Miller moved to lay the bill on the table; which motion was lost.

On motion of Mr. Haydon, the House adjourned.

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*Tuesday, February 20, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Griffin, O. Miller, and Schoolcraft were absent on leave, and Messrs. McLeod, Ramsdell and Saunders, absent without leave.

Prayer by Rev. Mr. Boughman.

The journal of yesterday was read and approved.

## PETITIONS.

By Mr. Berry, several petitions of citizens of Lenawee county, for an alteration of the militia law. Laid on the table.

By Mr. Shurtz, of seventy-four inhabitants of the county of St. Joseph, asking an alteration of the present license laws. Referred to the select committee on that subject.

By Mr. R. D. Power, of one hundred citizens of Washtenaw and Livingston counties, for the laying out and establishing a state road from Ann Arbor through Brighton, via Murray's mills, the village of Flushing, in the county of Genesee, to the Saginaw turnpike, at a point about fourteen miles north of the village of Flint, in the county of Genesee. Referred to the committee on roads and bridges.

By Mr. Videto, of citizens of the village of Jackson, for the incorporation of the "Jackson young men's literary association." Referred to the committee on banks and incorporations.

By Mr. Murphy, of Hervey Smith and fifty others, praying that the Ottawa Indians be allowed the privileges of citizenship. Referred to the committee on federal relations.

Also, of Lewis E. Bailey, for compensation for a horse lost in the Toledo war.

On motion of Mr. Pratt, the petition was referred to the committee on the militia.

## REPORTS.

Mr. Joslin, from the committee on internal improvement, to whom was referred the "joint resolution relative to the claims of C. W. Chapel and John F. Hamlin," reported the same back with a substitute. The report was accepted and the joint resolution and substitute referred to the committee of the whole.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to provide for the registry of certain deeds."

Mr. P. Power, from the select committee on the subject of the license laws, made a report accompanied by a bill.

The report was read and accepted, and the "bill amendatory to chapter five of the revised statutes and the several laws supplementary thereto," was read twice, referred to the committee of the whole and ordered printed.

On motion of Mr. Baldwin, the report was ordered to be printed.

Mr. Joslin, from the select committee to whom was referred sundry bills relative to highway labor, &c., reported a "bill relative to the duties of assessors and highway commissioners," which was read twice referred to the committee of the whole and ordered printed.

Mr. H. N. Walker, from the select committee to whom was referred the bill making appropriations on the central railroad, made the following report:

The committee have examined into the provisions of the bill referred to them, and also, into the several laws making appropriations on the works of internal improvement in this state. The balance of appropriations which had not been drawn from the state treasury on the first day of December last, the close of the fiscal year, were as follows, viz:

Central railroad,	\$193,677 89
Clinton and Kalamazoo canal,	17,485 84
Northern railroad,	40,041 29
Grand and Maple river,	6,773 57
Detroit and Grand River road,	1,201 34
Canal at Grand Rapids,	24,780 64
Havre branch railroad,	19,047 66
Improvement St. Joseph river,	26,165 69
Saginaw turnpike,	44 09
Northern turnpike,	40,000 00
Making a total of	\$361,218 01

(See report of board of internal improvement, page 11.)

By inquiry and examination your committee have learned that of the above appropriations, that of 16,000 acres of land on the Clinton and Kalamazoo canal, and 5000 acres on the St. Joseph River, were the only ones over which the board of internal improvement had any control. The balance of the appropriation not drawn from the treasury in favor of the central railroad, was exhausted by contracts let previous to October last. These contracts will run to maturity on the first of July, (except those for bridges, which run a month longer,) and from the rapid progress made during this winter, the chief engineer believes will be completed in the month of June. There is then no outstanding appropriation subject to the disposal of the board

of internal improvement on the central rail road, and unless one is made the work will undoubtedly cease as early as the first of July on the line of said road.

The other appropriations mentioned, except those made in land, cannot be expended in consequence of the prohibition on the board of internal improvement contained in the joint resolution, approved January 18, 1842. The entire amount of contracts then, which the board are authorized to make at the present time is to the value of 21,000 acres of land, and these contracts are to be made upon the Clinton and Kalamazoo canal, and St. Joseph river in the proportion above mentioned.

The committee report back the bill committed to them without amendment and recommend its passage.

The report was accepted and the bill referred to the committee of the whole.

Mr. Pratt, from the select committee, to whom was referred the bill to incorporate the Michigan railroad company, &c., reported the same back with sundry amendments.

The report was accepted, and the bill and amendments placed among the unfinished business.

Mr. Baldwin, from the select committee appointed for that purpose, reported a "bill to provide for the more effectual collection of debts, and to amend an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841," which was read twice, referred to the committee of the whole and ordered printed.

Mr. Pratt, from the select committee, to whom was referred sundry petitions for the abolishment of capital punishment, made a report accompanied by a bill.

The report was read and accepted, and the "bill to abolish capital punishment" was read twice, referred to the committee of the whole and ordered to be printed.

On motion of Mr. Baldwin 500 copies of the report was ordered to be printed.

Mr. Runyan from the select committee appointed for that purpose, reported a "bill to define and protect the rights of married women," which was read twice, referred to the committee of the whole and ordered printed.

Mr. Baldwin from the select committee appointed for that purpose, reported a "bill to amend an act entitled an act to amend an act entitled an act to abolish imprisonment for debt and to punish fraudulent debtors" which was read twice, referred to the committee of the whole and order printed.

The following message was received from the Senate :

SENATE CHAMBER, }  
February 19, 1844. }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed by the Senate to transmit a "bill to attach the county of Huron to the county of St. Clair for judicial purposes," which the Senate have passed and respectfully ask the concurrence of the House therein.

Also to inform the House that the Senate have appointed as a committee of conference on their part on the disagreement between the two Houses in relation to the "bill to establish certain roads therein mentioned and for other purposes," Senators Gray, Mason and Shear.

JAS. E. PLATT,

*Secretary of the Senate.*

The "bill to attach the county of Huron to the county of St. Clair for judicial and other purposes," was read once, when

Mr. H. L. Miller objected to the reading of the bill a second time, for the reason that a similar bill had already been rejected in the House this session.

The question being on the rejection of the bill, it was rejected.

The Speaker announced Messrs. D. C. Walker, Vickery and Joslin, as the committee of conference on the disagreement between the two houses on the "bill to establish certain roads therein mentioned, and for other purposes."

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ames offered a "joint resolution to authorize the commissioner of the land office to issue certain certificates therein mentioned," which was read twice, referred to the committee of the whole and ordered printed.

On motion of Mr. Haydon,

*Resolved*, That the committee on ways and means be instructed to report back to the House forthwith the resolutions referred to them

from Van Buren county, relative to tax laws, &c., without further comments.

Mr. D. C. Walker, from the committee on ways and means, in compliance with the foregoing resolution, reported back sundry resolutions adopted at a public meeting of citizens of Van Buren county.

On motion of Mr. Haydon, the resolutions were ordered printed.

The "bill relative to the registry of certain deeds," was read a third time and passed, by the following vote:

## YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Ruehle,
Baldwin,	Haydon,	Rowland,
Berry,	Hebard,	Runyan,
Blindbury,	Joslin,	Sheldon,
Chester,	Knight,	Shurtz,
Davis,	Knowlton,	Stone,
Delamatter,	Livermore,	Videto,
Dunham,	Mosher,	D. C. Walker,
Fairfield,	Murphy,	H. N. Walker,
Ferguson,	Parmelee,	White,
H. Hall,	P. Power,	Speaker,
M. Hall,	Pratt,	

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## NAYS.

Mr. Barnard,	Mr. R. D. Power,	Mr. Vickery,
McLeod,	Porter,	Van Husan,
H. L. Miller,	Snell,	

8

The "bill to amend section one, chapter one, title two, part second of the revised statutes relative to the descent of real estate," was ordered to be engrossed for a third reading.

The amendments made in committee of the whole to the "bill to organize certain townships and for other purposes," were concurred in, and,

On motion of Mr. D. C. Walker, section four of the bill was stricken out.

On motion of Mr. Livermore, the word "Livermore" was stricken out of the third line of section one.

On motion of Mr. Ames, the blank was filled by inserting the word "Galien."

Mr. Rowland offered the following as a separate section; which was lost:

"Sec. 11. The townships mentioned in the preceding first, fifth, sixth, seventh, ninth and tenth sections, shall not be organized ac-

according to the provisions of this act, unless each shall contain at least thirty legal voters, resident therein.

On motion of Mr. Ames,

The word "seven," in the second line of the first section, was stricken out, and "eight" inserted.

On motion of Mr. Barnard,

The last section was stricken out and the following inserted: "This act shall take effect on the first day of April next."

Mr. Ames moved to strike out the tenth section; which motion was lost.

On motion of Mr. Hebard, the following was adopted as a separate section:

"That so much of the United States survey, as is known and designated as township number eight north, of range number nine east, in the county of Lapeer, be, and the same is hereby set off and organized into a separate township, by the name of \_\_\_\_\_ and that the first annual township meeting be held at the house of David Clark in said township."

The bill was then ordered to be engrossed for a third reading.

The amendment made in committee of the whole to the "bill to organize a certain township," striking out all after the enacting clause, was concurred in by the House.

The amendment made in committee of the whole to the "bill to change the name of the township of Canaan" was concurred in, and the bill ordered to a third reading.

The House then took up the "bill to incorporate the Michigan Railroad company, and to provide for the sale of the Southern and Central railroads," and the amendments proposed by the select committee were severally concurred in.

Mr. Ames moved to insert after the words "Paw Paw," in the third line of the third section, the words "terminating at the village of St. Joseph."

Mr. White moved to amend the amendment by striking out "Paw Paw" and insert "to Lake Michigan, or as near as may be thereto, either at St. Joseph, Kalamazoo, or Grand River, at the option of said corporation," which motion was lost.

The question then recurring on the amendment offered by Mr. Ames, it prevailed.



On motion of Mr. Pratt, the 26th line of section 11, was amended by striking out the words "notice of" and inserting between the words "days" and "shall" the word "notice."

On motion of Mr. H. L. Miller, section 16 was amended by inserting after the word "purposes" in the third line, the following: "but in lieu thereof there shall be paid to the state treasurer annually, by the said company, a tax of one per cent. on the capital stock paid in, payable on the first day of January, each and every year of the corporate existence of said company a statement of the amount of said capital stock paid in, made and subscribed under oath; by the president and secretary of said company, to be filed by the said president with the state treasurer, at the time above required for the payment of the tax."

Mr. Adams moved to amend the fifth line of the third section, by striking out all after the word "Coldwater" and inserting, and thence by the present surveyed route to New Buffalo."

Mr. Shurtz moved to amend the amendment by inserting after the word "and" the word "Centreville," which motion prevailed.

The question then being on the amendment as amended,

On motion of Mr. Livermore, the House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Griffin, O. Miller and Schoolcraft, were absent on leave, and Messrs. Barnard, Delamatter, Dnnham, M. Hall, Joslin, Knowlton, Lamond, Mosher, Parmelee, Sheldon and Stone, were absent without leave.

The Speaker announced a communication from the board of internal improvement, in reply to the resolution adopted yesterday, which was read and,

On motion of Mr. D. C. Walker, laid on the table and ordered printed.

Mr. Porter moved to order 500 extra copies, which motion was lost.

Mr. Porter moved to order 300 extra copies, which motion did not prevail.

Mr. Porter moved to order 200 extra copies, which motion was lost.

On motion of Mr. Murphy, 100 extra copies were ordered printed.

The House then took up the "bill to incorporate the Michigan railroad company," &c., and the question being on the amendment offered by Mr. Adams, the same was withdrawn.

Mr. Shurtz moved to strike out of the fifth line of the third section, the words "a point most feasible" and insert "Three Rivers," which motion was lost.

Mr. H. L. Miller moved to amend the 17th section, by striking out all after the word "state" in the ninth line, pending which,

Mr. Knight moved the indefinite postponement of the bill, which motion was lost by the following vote :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Knight,

Mr. Livermore,  
Murphy  
Parmelee,  
Porter,  
Ruehle,

Mr. Sheldon,  
Shurtz  
Videto,  
Vickery,  
H. N. Walker, 15

## NAYS,

Mr. Adams  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Blindbury,  
Chester  
Davis,  
Dunham,  
Fairfield,  
Ferguson

Mr. Haydon,  
Knowlton  
Lamond,  
Leland,  
McLeod,  
H. L. Miller  
Mosher,  
P. Power,  
R. D. Power,  
Pratt,  
Rix,

Mr. Rowland,  
Runyan,  
Saunders,  
Snell,  
Stone,  
Tillson,  
Van Husan,  
D. C. Walker,  
White,  
Speaker,

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The question, then recurring on the amendment offered by Mr. H. L. Miller, it prevailed.

On motion of Mr. Stone, the third line of the fourth section was amended by inserting after the word "Coldwater" the words "or the village of Branch, at the option of said corporation."

On motion of Mr. Ames, the fourth line of the third section was amended by inserting after the word "Michigan" the words "at New Buffalo."

Mr. Shurtz moved to amend by striking out the twenty-fifth section, and inserting the following : "This act shall take effect on the first Monday of March in the year 1945, and be subject to revision, alteration or repeal, by the next legislature previous to that day;" pending which,

On motion of Mr. Fairfield, the House adjourned.

*Wednesday, February 21, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. O. Miller and Schoolcraft were absent on leave, and Mr. Joslin absent without leave.

Prayer by the Rev. Mr. Boughman.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Sheldon, of J. N. Taylor, and 112 others, for memorializing Congress in relation to a certain change of the constitution of the United States. Referred to the select committee on that subject.

By Mr. Adams, the claim of Elisha Warren, for money paid the state treasurer. Referred to the committee on claims.

By Mr. McLeod, the petition of George Tucker, and 31 others, praying for the elective franchise under certain restrictions. Referred to the committee on the judiciary.

Also, of James W. Holmes, and 42 others, citizens of Adrian, Lenewee county, in relation to adultery and fornication. Laid on the table.

By Mr. Rix, of citizens of Huron county, asking to be attached to the county of St. Clair for judicial purposes. Referred to the committee on the organization of towns and counties.

By Mr. Murphy, of Ansel Nichols, and 95 others, citizens of Branch county, for the extension of the Southern railroad to Jonesville.

On motion of Mr. Adams, the petition was referred to a select committee with instructions to inquire and report to this House whether the petitioners are residents of Branch county.

The Speaker appointed as such committee Messrs. Adams, Murphy, and Rix.

REPORTS.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to organize certain townships, and for other purposes;" and the "bill to amend rection one, chapter one, title two, part second of the revised statutes, relative to the descent of real estate."

Mr. M. Hall, from the committee on public lands, made the following report:

The committee on public lands, to whom was referred the petition of Michael Furlong; and on examination, that the said Furlong purchased of the state, the north east quarter of the north east quarter of section sixteen, town two south, of range eight west, at eight dollars per acre. That immediately after the purchase aforesaid, the legislature passed a law providing for the reduction of university and school lands, and that the appraisers appointed by said act reduced said land to \$5 per acre. But, that the superintendant of public instruction refused to allow such reduction, alleging that it was forfeited land, although there was no improvement thereon. That the petitioner, though poor, has been enabled to pay the interest on said purchase, up to the present time, but that he will be wholly unable to keep said land, unless the aforesaid reduction can be allowed, and the committee see no good reason why the same should not be granted inasmuch as all the lands upon the said section, have been reduced to five dollars per acre except the land of the petitioner, which appears to possess no more than an average value, and the committee have therefore instructed me to report the following joint resolution:

The report was accepted, the committee discharged, and the "joint resolution for the relief of Michael Furlong" was read twice, referred to the committee of the whole, and ordered printed.

Mr. Murphy, from the committee on banks and incorporations made the following report:

The committee on banks and incorporations to whom was referred a bill entitled an act to amend act in relation to the fire department, and firemen of the unincorporated cities and villages of the state, respectfully report that they have had the same under consideration and recommend its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred sundry petitions asking an amendment to the constitution of this state, by expunging from the second article thereof the word "white," submitted a report accompanied by a joint resolution.

The report was read, accepted, and

On motion of Mr. H. N. Walker, 500 extra copies were ordered printed.

The "joint resolution proposing an amendment to the constitution,"

was read twice, referred to the committee of the whole, and ordered printed.

Mr. Ramsdell from the judiciary committee, reported a "bill authorizing administrators and executors to convey lands in certain cases under the direction of the court of probate, and to permit sales of real estate at less than the full appraised value in certain cases," which was read twice, referred to the committee of the whole and ordered printed.

Mr. Ramsdell moved to discharge the committee of the whole from the consideration of the bill, and take the same up in the House which motion did not prevail.

Mr. Stone, from the select committee, to whom was referred the bill to abolish capital punishment, submitted a minority report, which was accepted.

On motion of Mr. Murphy, 500 copies were ordered printed.

The following message was received from the Executive :

EXECUTIVE OFFICE,  
Detroit, February 20, 1844. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of secretary of state, "an act to amend 'an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of the state.'"

Also, "an act to amend an act entitled 'an act to provide for the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners, and for other purposes,' approved March 9, 1843."

JNO. S. BARRY.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }  
February 20, 1844. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to transmit a "bill to punish certain officers for taking or receiving unlawful fees," which the Senate have passed, and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
Secretary of Senate.

The "bill to punish certain officers for taking or receiving unlawful fees," was read twice and referred to the committee on the judiciary.

On motion of Mr. Pratt,

*Resolved*, That the treasurer of the county of Wayne, be requested to report to this House the amount of money which has been received by the superintendent of the Detroit and Saginaw road, and what disposition has been made of the same.

On motion of Mr. Rix, the vote was reconsidered by which the House rejected the bill to attach the county of Huron to the county of St. Clair, for judicial and other purposes.

The question then recurring on the motion to reject, it did not prevail.

The bill was then read a second time, and referred to the committee on the organization of towns and counties.

The "bill to organize certain townships, and for other purposes," was read the third time, and

On motion of Mr. P. Power, the blank in the ninth section was filled with "Guilford."

The bill was then passed.

The "bill to amend section one, chapter one, title two, part second, of the revised statutes, relative to the descent of real estate," was read a third time and passed.

The "bill to change the name of the township of Canaan," was read a third time, and

On motion of Mr. Chester, the blank was filled "Wright."

The bill was then passed.

The House then took up the unfinished business, being the "bill to incorporate the Michigan railroad company," &c., and the question being on the amendment offered yesterday by Mr. Shurtz, and after some discussion, the amendment was withdrawn.

Mr. H. L. Miller renewed the motion.

On motion of Mr. H. N. Walker, the previous question was demanded.

The question then being, "Shall the main question be now put?" it prevailed, by the following vote:

## YEAS.

Mr. Ames,	Mr. H. Hall,	Mr. Porter,
Barnard,	M. Hall,	Pratt,
Baldwin,	Hawley,	Ruehle,
Berry,	Hebard,	Rowland,
Blindbury,	Knowlton,	Shurtz,
Chester,	Leland,	Snell,
Davis,	Livermore,	Tillson,
Dunham,	Mosher,	D. C. Walker,
Ferguson,	P. Power,	H. N. Walker,
Griffin,	R. D. Power,	Speaker, 30

## NAYS.

Mr. Adams,	Mr. H. L. Miller,	Mr. Sheldon,
Delamatter,	Murphy,	Stone,
Fairfield,	Parmelee,	Videto,
Haydon,	Ramsdell,	Vickery,
Knight,	Runyan,	Van Husan,
McLeod,	Saunders,	White, 18

The question then being on the amendment, it prevailed by yeas and nays, as follows:

## YEAS.

Mr. Adams,	Mr. M. Hall,	Mr. Ruehle,
Ames,	Hawley,	Runyan,
Berry,	Haydon,	Sheldon,
Blindbury,	Knight,	Shurtz,
Chester,	Leland,	Stone,
Delamatter,	H. L. Miller,	Videto,
Dunham,	Murphy,	Vickery,
Fairfield,	Parmelee,	Van Husan,
Griffin,	Porter,	White, 29
H. Hall,	Ramsdell,	

## NAYS.

Mr. Barnard,	Mr. McLeod,	Mr. Saunders,
Baldwin,	Mosher,	Snell,
Davis,	P. Power,	Tillson,
Ferguson,	R. D. Power,	D. C. Walker,
Hebard,	Pratt,	H. N. Walker,
Knowlton,	Rowland,	Speaker, 19
Livermore,		

The bill was then ordered to be engrossed for a third reading, by the following vote:

## YEAS.

Mr. Adams,	Mr. Knowlton,	Mr. Rowland,
Ames,	Lamond,	Runyan,
Barnard,	McLeod,	Shurtz,
Baldwin,	H. L. Miller,	Snell,

Berry,  
Davis,  
Fairfield,  
Ferguson,  
Griffin,  
Haydon,  
Hebard,

Mosher,  
Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Pratt,  
Rix,

Tillson,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

23

## NAYS.

Mr. Blindbury,  
Chester,  
Delamatter,  
Dunham,  
H. Hall,  
M. Hall,

Mr. Hawley,  
Knight,  
Leland,  
Livermore,  
Porter,  
Ramsdell,

Mr. Ruehle,  
Saunders,  
Sheldon,  
Stone,  
Videto,  
Vickery,

18

The House took up the bill to provide for the report of the decisions of the supreme court and the court of chancery; and the question being on the adoption of the substitute—pending which,

On motion of Mr. Baldwin,

The blank in the first line of section seven of the substitute, was filled with the word 'five.'

On motion of Mr. H. N. Walker, the blank in the first line of section four, was filled with 'six.'

Mr. Baldwin moved to strike out the word 'five' in section six and insert 'three.'

Mr. Ramsdell moved to amend by inserting 'three dollars and fifty cents.'

A division of the question being called for, and the question being on striking out, it prevailed.

The question then being on filling the blank with 'three dollars and fifty cents,' it was decided in the affirmative.

On motion of Mr. D. C. Walker, all after the enacting clause was stricken out and a substitute, which he offered, inserted.

Mr. Ramsdell moved to lay the bill and substitute on the table and print the substitute; which motion was lost.

Mr. Hawley moved to fill the blank in the seventh section with 'one hundred.'

Mr. Baldwin moved to insert "four hundred."

Mr. H. N. Walker moved to insert "five hundred," which was lost.

Mr. D. C. Walker moved to insert "four hundred and fifty," which motion prevailed.



Mr. Ramsdell moved to insert after the word "case," in the fifth line of section three, the following: "He shall only report the opinion of the judge, and the points made in the arguments of counsel and give the authorities by them referred to," which motion was lost.

Mr. H. L. Miller moved to strike out all after the word "state" in the eleventh line of section five, which was lost.

The substitute was then adopted, and the bill ordered to be engrossed for a third reading.

The House then took up the "bill to prohibit the circulation of small bills," and the question being on ordering the same to be engrossed for a third reading, it was decided in the negative by the following vote:

## YEAS.

Mr. Barnard,	Hebard,	Mr. Pratt,
Baldwin,	Lamond,	Ramsdell,
Davis,	H. L. Miller,	Ruehle,
Delamatter,	Mosher,	Runyan,
Dunham,	P. Power,	Shurtz,
Ferguson,	R. D. Power,	Snell,
Griffin,	Porter,	
		20

## NAYS.

Mr. Adams,	Mr. Leland,	Mr. Stone,
Ames,	McLeod,	Tillson,
Blindbury,	Murphy,	Van Huse,
Chester,	Parmelee,	D. C. Walker,
M. Hall,	Rix,	H. N. Walker,
Haydon,	Rowland,	White,
Knight,	Saunders,	Speaker,
Knowlton,	Sheldon,	
		23

On motion of Mr. Dunham the House adjourned.

*Afternoon Session*

The House met pursuant to adjournment, and on calling the roll Messrs. O. Miller and Schoolcraft were absent on leave, and Messrs. Barnard, Griffin, Knowlton and McLeod absent without leave.

The Speaker announced the following communication from the Senate:

SENATE CHAMBER, }  
February 21, 1843. }

To the Speaker of the House of Representatives:

Sir:—I am instructed by the Senate to return the bill entitled "a

bill in relation to convict labor in state prison," and to respectfully inform the House that the Senate have non-concurred therein.

Also to transmit a "bill to provide for the establishing and improving the Pontiac and Grand River road" which the Senate have passed, and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "bill to provide for establishing and improving the Pontiac and Grand River road" was read twice and referred to the committee on roads and bridges.

Mr. Pratt offered the following resolution which was lost:

*Resolved*, That when this House adjourn it will adjourn to meet at seven o'clock this evening.

Mr. M. Hall asked and obtained leave of absence till Friday, for Mr. McLeod.

Mr. Porter, for Mr. Ramsdell, for the same time.

The following communication was received from the Senate:

SENATE CHAMBER, }  
February 21, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "a bill to authorize the judge of probate of the county of Monroe, to order the sale of certain lands, and for other purposes," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also, to return the "bill to amend an act to provide for the organization of courts of special sessions, and to define their powers and duties," and to respectfully inform the House that the Senate have non-concurred therein.

Also, to inform the House that the Senate have concurred in the House amendment to the "bill to change the name of the township of Canaan," and have ordered the bill as amended to be enrolled.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "bill to authorize the judge of probate of the county of Monroe, to order the sale of certain lands and for other purposes," was read twice, and referred to the committee on the judiciary.

The House then resolved itself into committee of the whole on the general order, Mr. Baldwin in the chair, and after some time spent

thereon, the committee rose and by their Chairman reported that they had had under consideration a bill to provide more effectually for the collection and disposition of fines and penalties," and after a short time spent thereon, the committee rose and reported the bill back with amendments, in which the concurrence of the House was asked.

On motion of Mr. H. N. Walker, all the amendments, except those to the 4th section, were concurred in.

The amendments to the 4th section were severally non-concurred in.

Mr. Hawley moved to amend by striking out the ninth section, and inserting the following: which motion was lost.

All monies collected or received on fines or penalties, or upon any recognizances in criminal proceedings and paid to any county treasurer on or before the first day of March in each and every year, be paid over to the chairmen of the several boards of school inspectors in the county in proper proportions, and the several chairmen shall give their official receipt therefor.

The bill was then ordered to a third reading.

The House then went into committee of the whole on the "bill for the more effectual organization and discipline of the militia," Mr. Livermore in the chair, and after a short time spent thereon, the committee rose and reported the bill back with an amendment in which the concurrence of the House was asked.

The amendment was non-concurred in.

Mr. Ruehle moved to insert the word "white" in the second and eighth lines of section five, before the word "male," which motion was lost.

On motion of Mr. Porter, all after the word "same" in the fifth line to the word "which" in the eleventh line of section 5 was stricken out.

Mr. H. L. Miller moved to strike out the word "white" in the second line of section eight, which motion was lost.

On motion of Mr. Ruehle the 14th section was stricken out.

Mr. Vickery moved to strike out all of section 4 after the word "duty" in the second line, which motion was lost.

On motion of Mr. Ruehle all after the word "officer" in the sec-

ond line of section 26, was stricken out and the words "to the treasurer of the proper county" inserted.

Mr. Ruehle moved to strike out of the 7th line of section 27 the words "paymasters of the respective regiments," and insert "county treasurers."

Mr. Saunders moved to amend the amendment by adding after the word "treasurer" the words "after deducting the necessary expenses of the regiment," which motion prevailed, and the amendment as amended was adopted.

On motion of Mr. H. N. Walker the words "section to" were stricken out of the 78th line of section 27 and the words "act shall" inserted.

Mr. Delamater moved to strike out all of the 78th line of section 27 after the word "act" which was lost.

On motion of Mr. Ruehle, the words "paymaster of the proper regiment or battalion" were stricken out of lines 36 and 37 of section 29, and the words "county treasurer" inserted.

Mr. Ruehle offered the following to stand as section 45.

Sec. That all musters of the militia as provided in this act (except those required by the several uniform volunteer corps, and also in cases of invasion, insurrection or other imminent danger,) be and the same is hereby abolished, and that all parts of this act conflicting with the abolishing of any such musters, or thereby contravening the provision of this act, be and the same is hereby repealed.

Pending which, Mr. Fairfield moved an adjournment, which was lost.

Mr. Saunders moved to commit the bill to a select committee of three.

Mr. R. D. Power moved that the committee consist of fifteen which was lost.

Mr. Ruehle moved that the committee consist of seven, which did not prevail.

Mr. Porter moved that the committee consist of five, which motion was lost.

The question then being on the [motion to commit the bill to a select committee of three, it prevailed.

The Speaker announced as such committee Messrs. Saunders, R. D. Power and Mosher.

On motion of Mr. D. C. Walker, the House adjourned.

*Thursday, February 22, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Mr. Schoolcraft was absent on leave, and Mr. O. Miller, absent without leave.

Prayer by Rev. Mr. Boughman.

The journal of yesterday was read and approved.

#### PETITIONS.

By Mr. H. N. Walker, a claim of John Gibson. Referred to the committee on claims.

By Mr. Baldwin, of Messrs. Hoyt, Foote and Arms, for an act of incorporation of the "young men's lyceum of the town of Milford." Referred to the committee on banks and incorporations.

By Mr. Ferguson, of sundry inhabitants of Clinton county, for the organization of a certain township. Referred to the committee on the organization of towns and counties.

By Mr. Fairfield, of Alonzo Hickox and others, of the town of Blissfield, for the passage of an act authorizing the erection of a dam across the River Raisin, in said town. Referred to the committee on roads and bridges.

By Mr. Baldwin, of 49 citizens of Oakland county, for an act of incorporation for the Alphadelphia association. Laid on the table.

#### REPORTS.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the Senate "bill to punish certain officers for taking or receiving unlawful fees," reported the same back without amendment, and recommended its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Pratt, from the committee on engrossment and enrolment, reported as correctly engrossed, the "bill to provide for the publication of the decisions of the supreme court and court of chancery," and the "bill to incorporate the Michigan railroad company, and to authorize the sale of the Southern and Central railroads."

Mr. P. Power, from the select committee appointed for that purpose, reported a "bill to incorporate the Utica female seminary," which was read twice, referred to the committee of the whole and ordered printed.

Mr. H. N. Walker from the committee on public lands, made the

Mr. Berry for Mr. O. Miller till Monday next.

Mr. Livermore offered a joint resolution relative to the claims of Farrand & Higby, and John H. Dubois, which was read twice, referred to the committee of the whole and ordered printed.

The "bill to provide for the publication of the decisions of the supreme court and the court of chancery," was read a third time and

On motion of Mr. H. N. Walker, the words "and chancellor" were inserted after the word "court" in the third line of section one, and the words "and chancellor" inserted after the word "justices" in the sixth line of the said section.

Also, inserted the words "and territories" after the word "states" in the fifth line of section five, and the words "and the remainder of the said one hundred copies shall be deposited in the state library," after the word "state" in the eighth line of said section.

The bill was then passed.

The "bill to provide more effectually for the collection and disposition of fines and penalties," was read a third time and passed.

On motion of Mr. Joslin, the title was amended by striking out the word 'and' between the words 'fines' and 'penalties' and inserting after the word 'penalties' the words "and forfeitures of recognizances."

The title as amended was then adopted.

Mr. Ames asked and obtained leave of absence for Mr. Parmelee, for the forenoon.

Mr. Shurtz moved to recommit the "bill to incorporate the Michigan railroad company," &c., to the committee on ways and means, with instructions to strike out of the 24th section the words "shall take effect and be in force from and after its passage and the same," and strike out of the 5th line of the 3d section the words "a point most feasible," and insert "at Three Rivers."

Mr. H. L. Miller moved to amend the instructions by inserting the words "shall forfeit to the state" in the 23d section, which motion prevailed.

Mr. Shurtz moved to add to the instructions to insert the following as an independent section: which motion was lost.

That if the said company shall misuse or abuse the privileges hereby granted, the legislature reserves the right to revoke or annul the charter hereby granted, at any time they may think proper;

the legislature also reserve the right to purchase the right of the said company, and the railroad with its appurtenances at any time after thirty years from the passage of this act, at a reasonable price and valuation.

The instructions were then adopted, and the question being on recommitting the bill, it prevailed.

The House then went into committee of the whole on the general order, Mr. Rowland in the chair, and after a time spent thereon, the committee rose, and by their Chairman reported that they had had under consideration a "bill to amend an act entitled An act to amend an act entitled an act to amend an act entitled an act to incorporate the village of Adrian," approved March 7, 1843," and a "joint resolution relative to the improvement of the Grand river," which they reported back without amendments, and a "bill to provide for consolidating and revising the general laws of the state of Michigan," a "joint resolution rescinding in part the joint resolution prohibiting new contracts on the public works," and a "joint resolution relative to a reduction of the rates of postage," which they reported back with amendments, in which the concurrence of the House was asked.

The bill to amend the charter of the village of Adrian, was ordered to be engrossed for a third reading.

The amendments to the "bill to provide for consolidating the general laws of the state of Michigan," were concurred in.

Mr. Hawley moved to strike out the word "six" in the second line of section 2, and insert "five," which motion was lost.

The bill was then ordered to a third reading.

The amendment to the "joint resolution relative to a reduction of the present rates of postage" was concurred in.

Mr. Hawley moved to strike out all after the resolving clause, which was lost.

The joint resolution was then ordered to be engrossed for a third reading.

Mr. Tillson asked and obtained leave of absence for Mr. Berry, for the remainder of the session.

The House then took up the "joint resolution relative to the improvement of Grand River," and

On motion of Mr. Livermore, the following was added at the end of the resolution:

*Resolved*, That his excellency, the Governor of this state, be requested to transmit a copy of the foregoing resolution to each of the Senators and Representatives in Congress from this state.

The joint resolution was then ordered to be engrossed for a third reading.

The amendment to the "joint resolution rescinding in part the joint resolution prohibiting new contracts on the public works," was concurred in.

On motion of Mr. Rowland, the House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry, McLeod, O. Miller, H. L. Miller, Ramsdell and Schoolcraft, were absent on leave, and Messrs. Hawley, Knowlton, Mosher, Murphy, Parmelee and Vickery, absent without leave.

Mr. Pratt moved to reconsider the vote by which leave of absence was granted to Mr. Berry for the remainder of the session, pending which,

On motion of Mr. Van Husan, a call of the House was had, when Messrs. Knowlton, Mosher, Murphy, Parmelee and Vickery were absent without leave.

Mr. Baldwin moved to dispense with all further proceedings under the call, which motion was lost.

Mr. Saunders moved to send the sergeant-at-arms for the absentees, which motion was lost.

Messrs. Mosher and Parmelee having returned,

Mr. Pratt moved to dispense with all further proceedings under the call, which motion was lost.

Mr. Pratt moved an adjournment, which was lost by the following vote:

YEAS.

Mr. Baldwin,  
Rix,

Mr. Saunders,

Mr. Speaker,

4

NAYS.

Mr. Adams,

Mr. Haydon,

Mr. Ruehle,



Ames,	Hebard,	Rowland,
Barnard,	Joslin,	Runyan,
Blindbury,	Knight,	Sheldon,
Chester,	Knowlton,	Shurtz,
Davis,	Lamond,	Snell,
Delamatter,	Leland,	Stone,
Fairfield,	Livermore,	Tillson,
Ferguson,	Mosher,	Videto,
Griffin,	P. Power,	Van Husan,
H. Hall,	R. D. Power,	D. C. Walker,
M. Hall,	Porter,	White,
Hawley,	Pratt,	

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Messrs. Knowlton and Murphy having returned,

On motion of Mr. Barnard, all further proceedings under the call were dispensed with.

Mr. Joslin moved to lay the motion to reconsider on the table, which motion prevailed by the following vote:

## YEAS.

Mr. Blindbury,	Mr. Knight,	Mr. Stone,
Chester,	Leland,	Tillson,
Delamatter,	Livermore,	Videto,
Dunham,	Parmelee,	Van Husan,
H. Hall,	Porter,	D. C. Walker,
M. Hall,	Ruehle,	H. N. Walker,
Hawley,	Rix,	White,
Haydon,	Sheldon,	Speaker,
Joslin,		

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## NAYS.

Mr. Adams,	Mr. Griffin,	Mr. Pratt,
Ames,	Hebard,	Rowland,
Barnard,	Knowlton,	Runyan,
Baldwin,	Mosher,	Saunders,
Davis,	Murphy,	Shurtz,
Fairfield,	P. Power,	Suell,
Ferguson,	R. D. Power,	

20

The House then took up the "joint resolution rescinding in part the joint resolution prohibiting new contracts on the public works."

Mr. Rowland moved to strike out all after the resolving clause, pending which,

On motion of Mr. White, the joint resolution was laid on the table.

The Speaker announced the following communication from the Senate:

SENATE CHAMBER,  
February 22, 1844. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit “a bill in relation to associations formed for banking purposes, which the Senate have passed, and a joint resolution providing for the removal of the seat of government,” which the Senate have adopted, and respectfully ask the concurrence of the House therein.

JAMES. E. PLATT,

*Secretary of Senate.*

The “bill in relation to associations formed for banking purposes,” was read twice and referred to the committee on the judiciary.

The “joint resolution providing for the removal of the seat of government,” was read twice and referred to the committee on ways and means.

The House went into committee of the whole on the general order, Mr. Videto in the chair, and after some time spent thereon the committee rose and by their chairman reported that they had had under consideration a “bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville,” and a “bill to incorporate the Alphadelphia association,” which they reported back with amendments, in which the concurrence of the House was asked.

The amendment to the “bill for the appropriation of certain highway taxes,” &c., was concurred in.

Mr. Joslin moved to strike out of the seventh line of section one the words “in the township of Mattison” and insert after the word “Batavia” in the 8th line the words “and Mattison,” which motion was lost.

The bill was then ordered to be engrossed for a third reading.

The amendments to the “bill to incorporate the Alphadelphia association” were concurred in.

On motion of Mr. Pratt the following section was added to the bill:

Sec. 16. This act shall take effect and be in force from and after its passage.

On motion of Mr. White, the words “or any other person interested in said association,” were inserted after “guardian” in the 11th line of section 14.

The bill was then ordered to be engrossed for a third reading by the following vote :

## YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Pratt,
Barnard,	Knight,	Rix,
Baldwin,	Lamond,	Rowland,
Chester,	Leland,	Sheldon,
Davis,	Livermore,	Stone,
Delamatter,	McLeod,	Tillson,
Dunham,	Mosher,	Videto,
Fairfield,	Haydon,	Vickery,
Ferguson,	Parmelee,	Van Huse,
Griffin,	P. Power,	D. C. Walker,
H. Hall,	R. D. Power,	White,
M. Hall,	Porter,	Speaker, 36

## NAYS.

Mr. Ames,	Mr. Haydon,	Mr. Ruehle,
Blindbury,	Hebard,	Runyan,
Hawley,	Knowlton,	Snell, 9

The following communication was received from the Senate :

SENATE CHAMBER,  
February 22, 1844. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit to the House of Representatives a joint resolution relative to joint convention which the Senate have passed, and to respectfully ask the concurrence of the House therein.

JAS. E. PLATT,

*Secretary of the Senate.*

The joint resolution relative to a joint convention, was read once, and,

On motion of Mr. D. C. Walker, the rule was suspended, and the resolution being under consideration,

Mr. H. N. Walker moved to strike out 'four' and insert 'five,' which motion was lost.

On motion of Mr. Ferguson, the words "in the hall of the House of Representatives" were inserted after the word 'convention.'

The resolution was then rejected.

On motion of Mr. H. L. Miller, the House adjourned.

*Evening Session.*

The House met pursuant to adjournment, and on calling the roll, a quorum of the members were present.

The Speaker announced that the hour had arrived which was set in the joint resolution relative to holding a joint convention on this evening, for the meeting of that convention.

On motion of Mr. Pratt, a committee of two were ordered to be appointed to wait upon the Senate and inform that body that the House were ready to receive them in the Hall of the House of Representatives.

The Speaker announced as such committee Messrs. Pratt and Porter.

After a short absence the committee returned, and reported that they had discharged the duty assigned to them.

The Honorable the Senate was then announced and conducted to their seats.

THE JOINT CONVENTION,

was called to order by the President *pro tempore* of the Senate.

On motion of Mr. Videto, Senator Shearer was invited to read the farewell address of Washington.

In pursuance of such invitation, Senator Shearer then read Washington's farewell address.

After the reading of the address, Senator Howell offered the following resolution, which was unanimously adopted:

*Resolved*, That the thanks of this convention be tendered to the Hon. Jonathan Shearer, for the able and impressive manner in which he has read the farewell address of "The Father of his country."

On motion of Senator Thurber, the joint convention adjourned.

JAS. E. PLATT,  
*Secretary of Senate.*

A. W. HOVEY,

*Clerk House of Representatives.*

The House of Representatives was called to order by the Speaker.

Mr. Baldwin moved that the House go into committee of the whole on the general order, pending which,

Mr. Barnard moved an adjournment, which was lost.

The House then went into committee of the whole on the general

order, Mr. Baldwin in the chair, and after some time spent thereon, the committee rose, and by their Chairman reported that they had had under consideration, a "bill to authorize the Alphadelphia association to erect a dam across the Kalamazoo river," which they reported back with amendments in which the concurrence of the House was asked, and a "bill to authorize the supervisors of Kent county to build a free bridge across Grand river at Grand Rapids," which they reported back, and reported that they had made some progress, and asked leave to sit again thereon.

The amendments to the "bill to authorize the Alphadelphia association to erect a dam across the Kalamazoo river," were concurred in.

On motion of Mr. Haydon, the House adjourned.

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*Friday, February 23, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. McLeod, O. Miller and Schoolcraft were absent on leave.

Prayer by the Rev. Mr. Boughman.

The journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Parmelee, the remonstrance of citizens of Prairieville, Barry county, against the appropriation of certain non-resident highway taxes, on the road leading from Battle Creek to Grand Rapids, via Yankee Springs. Referred to the select committee to whom the bill for the construction of that road was referred.

Also, the remonstrance of citizens of Yankee Springs, Barry county, on the same subject. Referred to the same committee.

By Mr. Ferguson, the claim of S. Pasquelle, for translating the Governor's inaugural address and message. Referred to the committee on claims.

By Mr. Fairfield, the claim of A. Goddard for services as a witness before a committee of the House. Referred to the committee on claims.

By Mr. Blindbury, the claim of David French. Referred to the committee on claims.

#### REPORTS.

Mr. Pratt, from the committee on engrossment and enrollment, re-

ported as correctly engrossed, "joint resolution relative to a reduction of the present rates of postage," "a joint resolution relative to the improvement of Grand River," "a bill to amend the charter of the village of Adrian," "a bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville," and "a bill to incorporate the Alphadelphia association."

Mr. H. N. Walker, from the committee on public lands, made the following report:

The committee on public lands have had under consideration the petition of A. W. Elmer, and report a joint resolution for his relief. The petitioner is undoubtedly deserving of relief, and the state can receive no injury by granting the same.

The report was accepted, the committee discharged and the "joint resolution authorizing the commissioner of the land office to issue a certificate for certain land to A. W. Elmer" was read twice and ordered printed.

Mr. Baldwin, from the committee on the organization of towns and counties, made the following report, which was accepted, and the committee discharged:

The committee on the organization of towns and counties, to whom was referred the petition of certain inhabitants of Clinton county, to organize a certain township in said county, have instructed me to report:

That the committee have had the petition under consideration, and believe a compliance with the same unnecessary. There are only nine signatures to the petition, and no evidence before the committee that the proposed township contains more persons than those whose names appear on the petition. Your committee think that much care should be exercised in organizing new townships, and that none should be formed that do not contain voting inhabitants sufficient to fill the various town offices. All of which is respectfully submitted.

Mr. Hawley, from the select committee to whom was referred the "bill to amend chapter 2, title 3, part 1st, of the revised statutes relative to the duties of county surveyors," reported the same back with amendments.

The report was accepted, the committee discharged, and the bill and amendments placed among the unfinished business.

Mr. H. N. Walker, from the select committee to whom was re-

ferred the "bill to provide for the foreclosure of mortgages," reported the same back with amendments.

The report was accepted, the committee discharged, and the bill and amendments placed among the unfinished business.

Mr. Pratt, from the select committee appointed for that purpose, reported a "bill to amend an act entitled an act for the relief of certain settlers on university lands in the county of Oakland, approved March 9, 1848," which was read twice, referred to the committee of the whole, and ordered printed.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the Senate "bill to facilitate the study of anatomy, and to repeal chapter two, part first, title eight of the revised statutes, relating to medical societies," reported the same back with amendments.

The report was accepted, the committee discharged, and the bill and amendments referred to the committee of the whole.

Mr. Pratt, from the committee on engrossment and enrollment, made the following report, which was accepted:

The committee on enrollment report as correctly enrolled "a bill authorizing the receipt of the obligations of this state in payment of university lands," and "a bill to establish certain roads therein mentioned and for other purposes," and that the same have been this day presented to the Governor for his approval.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Pratt,

The motion to reconsider the vote by which the House granted leave of absence for the remainder of the session to Mr. Berry, was taken from the table; and the question being on the reconsideration, it was lost.

The "joint resolution relative to a reduction of the present rates of postage," and the "joint resolution relative to the improvement of Grand river," were severally read a third time and passed.

The "bill to amend the charter of the village of Adrian," was read a third time and passed, by the following vote:

#### YEAS.

Mr. Adams  
Barnard,  
Baldwin,  
Berry,  
Blindbury,

Mr. M. Hall,  
Haydon,  
Joslin,  
Knight,  
Knowlton

Mr. Pratt,  
Ruehle,  
Rowland,  
Runyan,  
Sheldon,

Chester,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,

Lamond,  
Livermore,  
Mosher,  
Murphy  
P. Power,  
R. D. Power,  
Porter,

Shurtz  
Snell,  
Stone,  
Tillson,  
D. C. Walker,  
H. N. Walker,  
White, 33

## NAYS.

Mr. Ames,  
H. L. Miller,  
Parmelee,

Mr. Saunders,  
Videto,

Mr. Van Husan,  
Speaker, 7

The "bill to incorporate the Alphadelphia association," was read a third time, when

Mr. Ramsdell moved to lay the bill on the table; which was lost.

Mr. H. N. Walker moved to commit the bill to a select committee, with instructions to strike out "Protodelphia" wherever it occurs and insert "Miadelphina."

On motion of Mr. Pratt, the instructions were amended by adding an additional section, as follows:

Sec. Nothing in this act contained shall be construed to confer banking privileges on this association.

The instructions, as amended, were adopted and the bill was then committed.

The "bill to provide for consolidating and revising the general laws of the state of Michigan," was read a third time and passed, by the following vote:

## YEAS.

Mr. Adams,  
Barnard,  
Baldwin,  
Chester,  
Davis,  
Dunham,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,

Mr. Joslin,  
Knight,  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
Murphy,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,  
Ruehle,  
Rix,

Mr. Rowland,  
Runyan,  
Saunders,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Van Husan,  
D. C. Walker,  
White, 38

## NAYS.

Mr. Ames,  
Blindbury,  
H. L. Miller,

Mr. Mosher,  
Parmelee,  
Ramsdell,

Mr. Vickery,  
H. N. Walker,  
Speaker, 9



The "bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville," was read a third time, and,

On motion of Mr. Joslin,

The bill was recommitted to the committee on enrollment and engrossment, with instructions to insert in the sixth line, between the words 'in' and 'non-residents,' the words 'residents and.'

Mr. Pratt, from the committee on engrossment, having reported the bill back with the amendments according to the instructions, it was then passed.

#### UNFINISHED BUSINESS.

The "bill authorizing the Alphadelphia association to build a dam across the Kalamazoo river," was taken up, and,

On motion of Mr. Joslin,

The word "Alphadelphia" was stricken out wherever it occurred, and "Madelphia" inserted.

The bill was then ordered to be engrossed for a third reading.

Leave was then granted by the House to the committee of the whole to sit again on the "bill to authorize the supervisors of the county of Kent to build a free bridge across Grand river at Grand Rapids."

The House then took up the "bill to provide for the foreclosure of mortgages," and the first amendment made by the committee was concurred in.

The second amendment being under consideration,

On motion of Mr. Joslin,

The words "the first section of," was stricken out, and the amendment, as amended, was concurred in.

Mr. Hawley moved to strike out the 13th section of the bill; which motion was lost.

Mr. Ramsdell moved to strike out section twelve; pending which,

On motion of Mr. Joslin,

The section was amended by inserting after the word "delivered," in the third line, the words "to the purchaser."

The question then recurring on striking out, it was lost.

The bill was then ordered to be engrossed for a third reading, by the following vote:

## YEAS.

Mr. Barnard,  
Baldwin,  
Blindbury,  
Davis,  
Dunham,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,

Mr. Joslin,  
Lamond,  
Leland,  
Livermore,  
H. L. Miller,  
Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Pratt,

Mr. Ruehle,  
Rix,  
Rowland,  
Saunders,  
Snell,  
Stone,  
Tillson,  
D. C. Walker,  
H. N. Walker,  
Speaker, 30

## NAYS.

Mr. Adams,  
Ames,  
Delamatter,  
Fairfield,  
Haydon,  
Hebard,

Mr. Knight,  
Knowlton,  
Mosher,  
Porter,  
Ramsdell,  
Runyan,

Mr. Sheldon,  
Videto,  
Vickery,  
Van Husan,  
White, 17

The House then took up the "bill to amend chapter three, title three, part first of the revised statutes, relative to the duties of county surveyors;" and the first and second amendments made by the committee were concurred in, and the third amendment was non-concurred in.

On motion of Mr. Delamatter,

The word "at," in the third line of section one, was stricken out, and "thirty days after" inserted.

On motion of Mr. Murphy,

The words, "such copy shall be prima facie evidence of the correctness of such surveys," were inserted after the word "section," in the sixth line of section one.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Ruehle, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry, McLeod, O. Miller, and Schoolcraft, were absent on leave, and Messrs. Leland, Parmelee, Saunders, Vickery and Van Husan, were absent without leave.

The Speaker announced a communication from Peter Desnoyers, Esq. treasurer of Wayne county, in reply to a resolution adopted on the 21st instant. The communication was read, and,

On motion of Mr. H. N. Walker, laid on the table.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }  
February 23, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit “a joint resolution in relation to the construction of a military road from Fort Gratiot to Grand river,” which the Senate have adopted, and “a bill to amend an act entitled ‘an act to abolish imprisonment for debt and to punish fraudulent debtors,’” which the Senate have passed, and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

The “joint resolution in relation to the construction of a military road from Fort Gratiot to Grand river,” was read twice and referred to the committee on roads and bridges.

The “bill to amend an act entitled ‘an act to abolish imprisonment for debt and to punish fraudulent debtors,’” was read twice and referred to the committee on the judiciary.

Mr. M. Hall asked and obtained leave of absence for Mr. Knight, till Wednesday next.

The House then took up the “bill to organize a land-office,” &c., the question being on filling the blank in the 10th section with “twelve dollars and fifty cents,”

The Speaker called Mr. Ramsdell to the chair.

The clerk having called the names on the vote on filling the blank, a question of order was raised as to the right of Mr. Stone to vote, the Speaker *pro tem.* decided that under the 17th rule, he was not entitled to vote.

An appeal was taken from the decision of the chair, and the question being on sustaining the decision, it was reversed by the following vote:

#### YEAS.

Mr. Adams,  
Attes,  
Barnard,  
Chester,  
Davis,  
DeLamatter,

Mr. Fairfield,  
Knowlton,  
Lamond,  
McLeod,  
H. L. Miller,  
Moster,

Mr. Murphy,  
R. D. Power,  
Porter,  
Pratt,  
Sheldon,  
Snell. 18

## NAYS.

Mr. Baldwin,  
Blindbury,  
Dunham,  
Ferguson,  
Griffin,  
H. Hall,  
Hawley,  
Haydon,  
Hebard,

Mr. Joslin,  
Knight,  
Parmelee,  
P. Power,  
Ruehle,  
Rix,  
Rowland,  
Runyan,

Mr. Saunders,  
Tillson,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

25

The question being on inserting "twelve dollars and fifty cents," it prevailed by the following vote:

## YEAS.

Mr. Blindbury,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Lamond,

Mr. McLeod,  
Murphy,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,

Mr. Saunders,  
Sheldon,  
Stone,  
Tillson,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,

27

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Chester,  
Davis,  
Delamatter,

Mr. Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
Knowlton,  
Livermore,  
H. L. Miller,

Mr. Mosher,  
R. D. Power,  
Pratt,  
Runyan,  
Shurtz,  
Snell,  
Speaker.

21

The Speaker moved to strike out all in section 18 after the word 'auction' in the third line, to the word 'provided' in the fourth line, which motion was lost.

Mr. Joslin moved to strike out sections 21, 22, 23, all of section 24 to the word township in line four, sections 25 and 26, which motion prevailed.

Mr. Ames moved to strike out section 50, pending which,

Mr. H. L. Miller moved an adjournment,

Mr. Pratt moved to amend the motion by adjourning till seven o'clock this evening, which motion was lost.

On motion of Mr. Joslin, the motion was amended by inserting 9 o'clock to morrow morning:

The question recurring on the adjournment, it prevailed.

So the House stands adjourned till nine o'clock to-morrow morning.

*Saturday, February 24, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Knight, O. Miller and Schoolcraft, were absent on leave, and Messrs. Adams, Chester, Ferguson, Livermore, McLeod, Pratt, Ruehle, Saunders and Van Husan, were absent without leave.

Prayer by Rev. Mr. Boughman.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. H. L. Miller, the memorial of one hundred and eight inhabitants of Genesee county, asking the legislature of this state to take the same action with reference to the third clause of the second section of the first article of the constitution of the United States, as has been taken by the Massachusetts legislature. Referred to the committee on federal relations.

By Mr. Livermore, of citizens of Jackson village, relative to the charter of the said village. Referred to the committee on banks and incorporations.

By Mr. Dunham, the claim of Louis Cavalli, for translating the governor's inaugural address and message into the German language. Referred to the committee on claims.

REPORTS.

Mr. Joslin, from the committee on internal improvement, reported "a bill to provide for the appointment of a commissioner on the Southern railroad;" which was read twice, when

Mr. Fairfield moved to refer the bill to a select committee; which motion was lost.

The bill was then referred to the committee of the whole and ordered to be printed.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, "a bill authorizing the Alphadelphia association to erect a dam across the Kalamazoo river;" "a bill to amend chapter three, title three, part first of the revised statutes relative to the duties of county surveyors," and "a bill to provide for the foreclosure of mortgages."

Mr. Shurtz, from the committee on roads and bridges, made the following report:

The committee on roads and bridges, to whom was referred a peti-

tion of Alonzo Hickox and others, from the township of Blissfield, in the county of Lenawee, asking the passage of a law to grant the privilege of erecting a dam across the River Raisin, on the north-west fraction of section twenty-one, town seven, range five east, on the north side of the said river, and other owners on the opposite side, respectfully report:

That they have given the privilege asked for by your petitioners, a due consideration, and are of the opinion that no inconvenience can arise from the erection of the dam asked for by your petitioners, but, on the contrary, "it would be of much service to the immediate inhabitants of that vicinity; and for that purpose your committee introduce a bill.

Also, report back a bill from the Senate authorizing a dam to be constructed across Flat river, in the county of Kent, and recommend its passage.

The "bill to authorize John W. Fallas and Nathaniel Davenport to build a dam across Flat river, in the county of Kent," was referred to the committee of the whole.

The "bill authorizing the building of a dam across the River Raisin," was read twice, referred to the committee of the whole and ordered to be printed.

Mr. D. C. Walker, from the committee on ways and means, to whom was referred the "bill to incorporate the Michigan railroad company," &c., with instructions, reported the same back with the amendments incorporated, contained in the instructions.

The report was accepted, the committee discharged, and the bill placed among the bills for a third reading.

Mr. Saunders, from the select committee to whom was referred the "bill for the more effectual organization and discipline of the militia," reported the same back with sundry amendments.

The report was accepted, the committee discharged, and the bill placed among the unfinished business.

Mr. Pratt, from the select committee to whom was referred the "bill to incorporate the Alphadelphia association," with instructions, reported the bill back with the amendments incorporated, contained in the instructions.

The report was accepted, the committee discharged, and the bill placed among the bills for a third reading.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mosher, pursuant to previous notice, asked and obtained leave to introduce a bill to amend part three, title two, chapter four, section twenty-eight of the revised statutes, and Messrs. Mosher, Ramsdell and M. Hall, were appointed a committee to bring in the bill.

On motion of Mr. White,

*Resolved*, That the committee on internal improvement be instructed to inquire into the expediency of authorizing the Maumee branch railroad company to run a train of cars on the Southern railroad, in connection with the Havre branch railroad, by paying a rate of tolls to be fixed by law; and that they report by bill or otherwise.

## THIRD READING OF BILLS.

The "bill to provide for the foreclosure of mortgages" was read the third time, and the question being on the passage of the bill, after some discussion,

Mr. Joslin moved the previous question, which was sustained, and the main question was ordered to be now put.

The bill was then passed by the following vote:

## YEAS.

Mr. Barnard,  
Baldwin,  
Blindbury,  
Dunham,  
Ferguson,  
H. Hall,  
M. Hall,  
Hawley,  
Joslin,  
Leland,

Mr. McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,  
P. Power,  
Pratt,  
Ruehle,  
Rix,  
Rowland,  
Saunders,

Mr. Sheldon,  
Shurtz,  
Snell,  
Stone,  
Vickery,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

29

## NAYS.

Mr. Adams,  
Ames,  
Berry,  
Chester,  
Davis,  
Delamatter,  
Fairfield,

Mr. Griffin,  
Haydon,  
Hebard,  
Knowlton,  
Lamoad,  
Livermore,  
Mosher,

Mr. R. D. Power,  
Porter,  
Ramsdell,  
Runyan,  
Tillson,  
Videto,

20

The "bill to incorporate the Alphadelphia association" was read a third time, and the question being on its passage, it was lost by the following vote:

## YEAS.

Mr. Adams,  
Baldwin,  
Davis,  
Delamatter,  
M. Hall,  
Joslin,  
Lamond,

Mr. Leland,  
Livermore,  
McLeod,  
Murphy,  
Porter,  
Pratt,

Mr. Rix,  
Runyan,  
Sheldon,  
Videto,  
Vickery,  
Speaker,

19

## NAYS.

Mr. Ames,  
Barnard,  
Berry,  
Blindbury,  
Chester,  
Dunham,  
Fairfield,  
Griffin,  
H. Hall,

Mr. Hawley,  
Haydon,  
Hebard,  
Knowlton,  
H. L. Miller,  
Mosher,  
P. Power,  
R. D. Power,  
Ruehle,

Mr. Rowland,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
D. C. Walker,  
H. N. Walker,  
White

27

The "bill authorizing the Alphenelphia association to erect a dam across the Kalamazoo river," was read the third time and the question being on its passage,

On motion of Mr. Ferguson, the bill was laid on the table.

The "bill to incorporate the Michigan railroad company, and to authorize the sale of the southern and central railroads," was read the third time, and

On motion of Mr. D. C. Walker,

A call of the House was ordered.

On calling the roll, Messrs. Adams, Joslin and Van Huse, were absent without leave.

On motion of Mr. Saunders, the sergeant-at-arms was sent for the absentees:

Mr. Ramsdell asked and obtained leave of absence for Mr. Van Huse till Monday.

Mr. M. Hall for Mr. McLeod for the day.

Messrs. Adams and Joslin having returned,

On motion of Mr. Dunham, all further proceedings under the call were dispensed with.

On motion of Mr. H. N. Walker, a call of the House was ordered, which being had, Mr. H. L. Miller was absent.

Mr. Murphy moved to dispense with further proceedings under the call, which motion was lost.



On motion of Mr. Rowland, the sergeant-at-arms was sent for the absentee.

Mr. H. L. Miller having returned.

On motion of Mr. Barnard, further proceedings under the call were dispensed with.

Mr. Rowland moved the previous question, which was not sustained.

Mr. Fairfield moved that the bill be referred back to the committee with instructions to amend the same in such a manner as to make the stockholders individually liable for all debts of the company, also in such a manner as to reserve the power to the legislature to alter or amend the charter at any time by a two thirds vote, which motion was lost.

On motion of Mr. Berry the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll Messrs. Knight, McLeod, O. Miller, Schoolcraft, and Van Huse were absent on leave, and Messrs. Murphy, P. Power, R. D. Power, Saunders, Tillson, and H. N. Walker, were absent without leave.

The Speaker announced the following message from the Executive :

EXECUTIVE OFFICE, }  
Detroit, February 24, 1844. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the secretary of state, "an act to establish certain roads therein mentioned and for other purposes."

JNO. S. BARRY.

The House then resumed the consideration of the "bill to incorporate the Michigan Railroad company," &c.

On motion of Mr. D. C. Walker, the blank in the first section was filled with the following names : Thomas W. Wells, Jonathan Kearsley, Zina Pitcher, Warner Wing, Gideon O. Whittemore, Thomas Fitzgerald, Edward Mundy, William L. Greenly, and Charles C. Hascall.

Mr. D. C. Walker asked and obtained the unanimous consent of the House to offer the following amendments :

"Sec. The private property of every stockholder of said com-

pany shall be liable to be taken in execution on any judgment obtained against said company, in case sufficient property belonging to said company and liable to be taken on execution cannot be found whereon a levy may be made."

Also, to add at the end of the last section the words "by a vote of a majority of the members of both houses of the legislature."

On motion of Mr. Joslin, the word "personal" was inserted in the proposed section between the words "sufficient" and "property."

The amendments were then adopted, by the following vote:

## YEAS.

Mr. Adams,	Mr. H. Hall,	Mr. R. D. Power,
Ames,	M. Hall,	Porter,
Barnard,	Hebard,	Pratt,
Baldwin,	Joslin,	Rix,
Berry,	Knowlton,	Rowland,
Blindbury,	Lamond,	Runyan,
Chester,	Leland,	Saunders,
Davis,	McLeod,	Snell,
Delamatter,	H. L. Miller,	Stone,
Dunham,	Mosher,	Tillson,
Fairfield,	Murphy,	D. C. Walker,
Ferguson,	Parmelee,	H. N. Walker,
Griffin,	P. Power,	White,

39

## NAYS.

Mr. Hawley,	Mr. Ruehle,	Mr. Videto,
Haydon,	Sheldon,	Vickery,
Livermore,	Shurtz,	Speaker,
Ramsdell,		

10

The question than being on the passage of the bill, it was lost by the following vote, two-thirds not voting in the affirmative:

## YEAS.

Mr. Adams,	Mr. Knowlton,	Mr. Pratt,
Ames,	Lamond,	Rix,
Barnard,	Leland,	Rowland,
Baldwin,	McLeod,	Snell,
Berry,	H. L. Miller,	Tillson,
Davis,	Mosher,	D. C. Walker,
Fairfield,	Murphy,	H. N. Walker,
Ferguson,	P. Power,	Speaker,
Hebard,	R. D. Power,	

26

## NAYS.

Mr. Blindbury,	Mr. Haydon,	Mr. Saunders,
Chester,	Joslin,	Sheldon,

Delamatter,	Livermore,	Shurtz,
Dunham,	Parmelee,	Stone,
Griffin,	Porter,	Videto,
H. Hall,	Ramsdell,	Vickery,
M. Hall,	Reuhle,	White,
Hawley,	Runyan,	

23

On motion of Mr. H. L. Miller, the House adjourned.

*Monday, February 26, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Knight, O. Miller, Schoolcraft and Van Husan were absent on leave, and Messrs. Chester, Saunders and Tillson absent without leave.

The journal of Saturday was read and approved.

Mr. Adams asked and obtained leave of absence for Mr. O. Miller till Thursday.

Mr. Rix for Mr. Tillson till 2 o'clock this afternoon.

Mr. Knowlton for Mr. Saunders for the same time.

Mr. Ruehle for Mr. H. L. Miller for the day.

Mr. Shurtz for Mr. Chester for the same time.

#### PETITIONS.

By Mr. Murphy of S. R. Smith and 73 other citizens of Hillsdale county, for an alteration of the license law. Laid on the table.

By Mr. H. N. Walker, the claim of Z. Vollum. Referred to the committee on claims.

#### REPORTS.

Mr. Joslin from the committee on internal improvement, reported a "bill to fix the rate of toll for the use of the Southern railroad," which was read twice, referred to the committee of the whole and ordered printed.

Mr. Ramsdell from the committee on the judiciary to whom was referred a "bill to amend an act entitled an act to abolish imprisonment for debt and to punish fraudulent debtors," and a "bill in relation to associations formed for banking purposes," reported the same back without amendment.

The report was accepted, the committee discharged and the bill referred to the committee of the whole.

Mr. Murphy from the committee on banks and incorporations made the following report :

The committee on banks and incorporations to whom was referred the petition of Wm. Ford and other citizens of the village of Jackson, asking for a law legalizing the acts of certain officers of the said village, respectfully report : That it appears to belong more properly to the judiciary committee to report whether such acts should be legalized or not, and they therefore recommend that the same be referred to that committee.

The report was accepted, the committee discharged, and the petition referred to the committee on the judiciary.

Mr. Shurtz, from the committee on roads and bridges, made the following report :

The committee on roads and bridges, to whom was referred a bill from the Senate to provide for establishing and improving the Pontiac and Grand River road, also a "joint resolution in relation to the construction of a military road from Fort Gratiot to Grand River," have had the same under consideration, report the same back to the House, and respectfully recommend their passage.

Also, a "bill from the Senate to provide for laying out a certain state road and for other purposes," and have made some amendments thereto, and respectfully ask the concurrence of the House.

The report was accepted, the committee discharged, and the bills and joint resolution referred to the committee of the whole.

Mr. McLeod, from the committee on education, to whom was referred a petition of 150 citizens of Berrien county, praying that the common school and university funds may be incorporated," submitted a report thereon, which was read and accepted, and

On motion of Mr. Murphy, 500 extra copies were ordered printed.

Mr. McLeod, from the same committee, made the following report:

The committee of education have had under consideration the petition of Paul Minnis and forty-two others, "taxable inhabitants of school district No. 11, in the township of Ann Arbor, in the county of Washtenaw, and state of Michigan." The petitioners set forth that the district contains five hundred and seventy-five (575) children, between the ages of four and eighteen years, inclusive: That there are twenty-two hundred inhabitants, and taxable property to

the amount of two hundred thousand dollars: That there is no school house in the district, and that the provision of law, restricting them to three hundred dollars in any one year, as the maximum of tax which can be levied in a district, is a serious inconvenience; and in a great measure subversive of the main object of the educational system of the state, so far as relates to this district. They therefore pray that school district No. 11, in the township of Ann Arbor, may be so far exempted from the restrictions imposed in the law referred to, as to allow the qualified voters of the said district to impose such a tax as may be sufficient to lease or purchase a suitable site for a school house, and to erect and furnish the necessary buildings, provided such tax shall not exceed the sum of three thousand dollars.

Your committee, although surprised, that under such a state of facts, but *forty-three* taxable inhabitants out of twenty-two hundred, should be found to petition on a subject of such importance, are yet of the opinion, that some general provision might advantageously be made, to meet such cases as are detailed in the petition, whether real or suppositional. They therefore bring in the accompanying bill, and ask to be discharged from further consideration of the subject.

The report was accepted, the committee discharged, and the "bill to amend an act relative to common or primary schools, approved March 8, 1843," was read twice, referred to the committee of the whole, and ordered printed.

Mr. Baldwin, from the select committee appointed for that purpose, reported a "bill relating to the sale of real estate on execution," which was read twice, referred to the committee of the whole and ordered printed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Vickery moved a reconsideration of the vote by which the "bill to incorporate the Michigan railroad company," &c. was lost.

On motion of Mr. Pratt, the motion to reconsider was laid on the table.

On motion of Mr. Dunham, the motion to reconsider the vote by which the House concurred in the Senate amendment to the joint resolution relative to adjournment, was taken from the table; and the question being on the reconsideration, it prevailed.

The question then recurring on concurring in the Senate amendments,

Mr. Stone moved to strike out "Thursday the 29th day of February instant, at 5 o'clock, P. M.," and insert "the 4th day of March next."

Mr. Ferguson moved to amend by inserting "the 7th day of March next."

Mr. D. C. Walker moved to amend by inserting the "eleventh day of March next," which motion was lost by the following vote :

## YEAS.

Mr. Ames,	Mr. Lamond,	Mr. Ruehle,
Baldwin,	Livermore,	Videto,
Delamatter,	McLeod,	Vickery,
H. Hall,	Murphy	D. C. Walker,
M. Hall,	Parmelee,	H. N. Walker,
Hebard,	P. Power,	White,
Joslin,	Porter,	Speaker,
Knowlton,	Ramsdell,	

23

## NAYS.

Mr. Adams	Mr. Griffin,	Mr. Rix
Barnard,	Hawley,	Rowland,
Berry,	Haydon,	Runyan,
Blindbury,	Leland,	Sheldon,
Davis,	H. L. Miller,	Shurtz,
Dunham,	Mosher,	Snell,
Fairfield,	R. D. Power,	Stone,
Ferguson,	Pratt,	

23

Mr. Pratt moved a reconsideration of the last vote, which motion prevailed by the following vote :

## YEAS.

Mr. Adams,	Mr. Hebard,	Mr. Pratt,
Ames,	Joslin,	Ramsdell,
Barnard,	Knowlton,	Ruehle,
Baldwin,	Lamond,	Videto,
Davis,	Livermore,	Vickery,
Delamatter,	McLeod,	D. C. Walker,
Griffin,	Murphy,	H. N. Walker,
H. Hall,	Parmelee,	White,
M. Hall,	P. Power,	Speaker,
Hawley,	Porter,	

29

## NAYS.

Mr. Berry,	Mr. Leland,	Mr. Runyan,
Blindbury,	H. L. Miller,	Sheldon,
Dunham,	Mosher,	Shurtz,

Fairfield,	R. D. Power,	Snell,	
Ferguson,	Rix,	Stone,	
Haydon,	Rowland,		17

The question recurring on the motion to insert 'the 11th day of March next,' it prevailed by the following vote :

## YEAS.

Mr. Adams,	Mr. Lamond,	Mr. Ramsdell,	
Baldwin,	Livermore,	Ruehle,	
Davis,	McLeod,	Videto,	
Delamatter,	Murphy,	Vickery,	
H. Hall,	Parmelee,	D. C. Walker,	
M. Hall,	P. Power,	H. N. Walker,	
Hebard,	Porter,	White,	
Joslin,	Pratt,	Speaker,	
Knowlton,			25

## NAYS.

Mr. Ames,	Mr. Griffin,	Mr. Rix,	
Barnard,	Hawley,	Rowland,	
Berry,	Haydon,	Runyan,	
Blindbury,	Leland,	Sheldon,	
Dunham,	H. L. Miller,	Shurtz,	
Fairfield,	Mosher,	Snell,	
Ferguson,	R. D. Power,	Stone,	21

The resolution as amended was then adopted.

On motion of Mr. McLeod, the 20th rule was suspended, when,

Mr. McLeod asked and obtained leave to introduce 'a bill supplementary to an act entitled 'an act to amend an act entitled an act to provide for the issuing and return of venires, the payment of jurors, the appointment of circuit court commissioners, and for other purposes, approved February 20, 1844,' which was read twice.

On motion of Mr. McLeod, the 21st rule was suspended. and the bill ordered to a third reading.

Mr. D. C. Walker moved to reconsider the vote by which the 'bill to incorporate the Alaphadelphia association,' was lost.

On motion of Mr. Baldwin, the motion to reconsider was laid on the table.

Mr. Ramsdell offered a "joint resolution authorizing the board of state auditors to settle the claim of Charles M. Maynard," which was read twice, referred to committee of the whole, and ordered printed.

Mr. H. N. Walker gave notice that at some future day he should ask leave to introduce a bill to amend the charter of the city of Detroit.

Mr. R. D. Power offered the following resolution, which was lost :

*Resolved*, That the committee to whom was referred the joint resolution relative to the removal of the capital be instructed to report forthwith.

The 'bill supplementary to an act entitled an act to amend an act entitled an act to provide for the issuing and return of venires, the payment of jurors, the appointment of circuit court commissioners and for other purposes, approved February 20, 1844,' was read the third time and passed.

The House then took up the bill to organize a land office, &c., and the question being on striking out the fifth section,

Mr. Stone moved to amend the section by inserting after the word 'purposes' in the second line the following words: 'and those granted and located by virtue of said section one of the act of congress, June 23, 1836;' also, amend by inserting at the end of line 5, the following words: 'and by section one of the act of June, 1835,' which motion prevailed by the following vote :

YEAS.

Mr. Adams, Ames, Baldwin, Davis, Dyham, Fairfield, Ferguson,	Mr. Griffin, Hebard, Knowlton, Livermore, Mosher, Murphy, Parmelee,	Mr. P. Power, Pratt, Rix, Sturtz, Snell, Stone, White,
		21

NAYS.

Mr. Barnard, Blindbury, Delamatter, H. Hall, M. Hall, Hawley, Joslin,	Mr. Leland, R. D. Power, Porter, Ramsdell, Ruehle, Rowland,	Mr. Runyan, Sheldon, Videto, D. C. Walker, H. N. Walker, Speaker,
		19

The question recurring on the motion to strike out the section, it was lost by yeas and nays, as follows:

YEAS.

Mr. Barnard, Blindbury, Delamatter, H. Hall, M. Hall, Hawley, Haydon,	Mr. Joslin, Leland, H. L. Miller, Mosher, Porter, Ramsdell, Ruehle,	Mr. Rowland, Sheldon, Videto, D. C. Walker, H. N. Walker, Speaker,
		20



## NAYS.

Mr. Adams,	Mr. Griffin,	Mr. R. D. Power,
Ames,	Hebard,	Pratt,
Baldwin,	Knowlton,	Rix,
Davis,	Livermore,	Runyan,
Dunham,	Murphy,	Shuriz
Fairfield,	Parmelee,	Snell,
Ferguson,	P. Power,	Stone,
		21

On motion of Mr. Stone,

Section thirty-nine was amended by inserting after the word 'afore-said,' in the second line, the following: 'and to those which may have been granted and located by virtue of section one of an act of congress, entitled 'an act supplementary to the act entitled an act to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the Union, on certain conditions,' approved June 23, 1836.'

Mr. Stone moved to amend section thirty-nine by inserting in line five, after the word 'said,' the words 'internal improvement;' which motion was lost.

On motion of Mr. Joslin,

Section ten was amended by adding the following proviso: '*Provided, also,* That no treasury notes or warrants shall be received for university lands hereafter forfeited to the state.'

Mr. Dunham moved to strike out of the second line of section ten the word 'five,' and insert 'four;' which motion was lost.

Mr. H. L. Miller moved to add the following to section 10, "and provided further, that such funds as are now made receivable by law for university lands, shall be received in payment of primary school lands which may hereafter be sold," which motion was lost.

On motion of Mr. Joslin, the following was adopted to stand as section 21:

Section 21. For the purposes of appraisal of improvement on the improved portion of the university and school lands, as is hereinafter mentioned, the commissioner shall cause to be prepared, on or before the first day of June in each year, lists of all the forfeited lands in the several townships in which they are situated, and also lists of all the unsold lands which he may have cause to believe are improved, and transmit the same to the appropriate clerks of the respective counties, together with such forms of returns and certificates

of appraisement as he shall direct, to be distributed forthwith, by the said clerks respectively, to the several supervisors of the townships to whom the same may be directed; and upon return of such appraisement, as is hereinafter mentioned, the amount of value of the improvements on each tract or parcel, shall be divided by the number of acres thereof, and that amount, together with the minimum price per acre, as hereinbefore established for the unimproved lands, shall be the specific minimum price per acre of said tract or parcel so appraised, until altered by subsequent appraisement; but the unimproved forfeited lands shall remain at the minimum price per acre, as established for the unsold and unimproved lands as aforesaid.

Mr. Baldwin moved to amend section 39 by striking out of the 4th and 5th lines the words 'the minimum price hereinbefore established for said lands,' and insert 'one dollar and twenty-five cents per acre,' which motion was lost.

Mr. H. L. Miller moved to strike all out of the 19th section after the word 'land' in the seventh line, which motion was lost.

On motion of Mr. P. Power,

The following was added to the end of section 28: 'and where the United States surveyors may have neglected or omitted such meanderings, said geologist shall cause the same to be done by the county surveyors of the respective counties in which the lands are situated, when, in the opinion of the commissioner, it shall be necessary.'

On motion of Mr. Baldwin,

Section 42 was amended by inserting after the word 'shall' in the first line, the following: 'as soon as the same are completed, furnish the office of the commissioner of the land office the maps of each of the several counties of this state.'

Mr. Hawley moved to strike out the 28th section, which motion was lost:

The bill was then ordered to be engrossed for a third reading.

The following communication was received from the Senate:

SENATE CHAMBER, }  
February 26, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a joint resolution authorizing the governor to appoint an agent to take charge of certain state property, which the Senate have adopted and respectfully ask the concurrence of the House therein.

Also to return the 'bill to provide for the publication of the decisions of the supreme court and the court of chancery,' and to inform the House that the Senate have passed the same with amendments in which they respectfully ask the concurrence of the House.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "joint resolution authorizing the governor to appoint an agent to take charge of certain state property," was read twice and referred to the committee on ways and means.

The first, second, fourth and fifth amendments made by the Senate to the "bill to provide for the publication of the decisions of the supreme court and court of chancery," were severally concurred in.

The third amendment was, on motion of Mr. D. C. Walker, amended by striking out 'six' and inserting 'five;' and the amendment as amended was concurred in.

Mr. Joslin offered the following resolution, which was lost:

*Resolved*, That after this day the morning sessions of this House shall commence at nine o'clock, A. M. and the afternoon sessions shall commence at two o'clock, P. M.

On motion of Mr. Ruehle, the House adjourned.

#### *Afternoon Session.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry, Chester, Knight, O. Miller, Schoolcraft and Van Hunsan were absent on leave, and Messrs. Hebard, Knowlton, Tillson, Vickery and H. N. Walker were absent without leave.

The following message was received from the Senate :

SENATE CHAMBER, }  
February 26, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit "a bill to provide for laying out a state road from Lexington to Point-au-Barque," which the Senate have passed and respectfully ask the concurrence of the House therein.

Also, to return the "joint resolution relative to the improvement of Grand river," and to inform the House that the Senate have concurred therein.

Also, to return the "bill for the appropriation of certain highway

taxes for the improvement of the state road from Coldwater to Centreville," and to inform the House that the Senate have passed the same with amendments, in which they respectfully ask the concurrence of the House.

JAMES. E. PLATT,  
*Secretary of Senate.*

The "bill to provide for laying out a state road from Lexington to Point-au-Barque," was read twice and referred to the committee on roads and bridges.

The "joint resolution relative to the improvement of Grand River," was ordered to be enrolled.

On motion of Mr. Adams,

The "bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville," was laid on the table.

The House then took up the "bill for the more effectual organization and discipline of the militia," and the question being on concurring in the amendments made by the committee, all of the amendments except the tenth, eleventh and twelfth were severally concurred in, and the tenth, eleventh and twelfth amendments were severally non-concurred in.

Mr. Knowlton moved to strike out the 25th section, pending which,

Mr. Joslin moved to insert at the end of the section the following words, "and such persons shall be entitled to one dollar for giving such information," which motion was lost.

On motion of Mr. Ramsdell, the word "fifty" before "dollars" was stricken out and "five" inserted.

On motion of Mr. Joslin the words "under penalty of fifty dollars" in said section were stricken out.

The question then recurring on striking out the section, it was lost.

On motion of Mr. Pratt, section five was amended by inserting after the word "years" in the fourth line the words "liable to do military duty."

Mr. Murphy offered the following substitute which did not prevail:

"Section 26. All fines and penalties accruing under this act shall be paid into the county treasury for the benefit of the primary school fund."

Mr. Knowlton moved to amend section 27 by inserting after the word "ordered" in the eighth line, the word "five dollars" which motion was lost.

On motion of Mr. Ruehle the words "not to exceed" were inserted before the word "fifty" in the ninth line of section 27.

On motion of Mr. Ramsdell, the words "insurrection or invasion" were inserted at the end of the eighth line of the 27th section.

Mr. Joslin moved to strike out all of the thirty-sixth line, and the word "battalion" in the thirty-seventh line, which motion was lost.

On motion of Mr. R. D. Power, all after the word "cases" in the thirty-eighth line of section 29 was stricken out.

On motion of Mr. M. Hall, all after the word neglect, in the 27th line, and all of the 28th line of section 27 was stricken out.

Mr. H. L. Miller moved to strike out section 27, which did not prevail.

On motion of Mr. Joslin the following substitute for section 26 was adopted.

"Section 26. That all fines, forfeitures, and penalties recovered and collected in any civil suit, for a neglect or violation of this act, shall be paid by the officer or court receiving the same to the treasurer of the county in which the same was collected for the purposes of township libraries."

The bill was then ordered to be engrossed for a third reading by the following vote :

## YEAS.

Mr. Adams,  
Ames,  
Baldwin,  
Blindbury,  
Davis,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
H. Hall,  
M. Hall,

Mr. Hawley,  
Haydon,  
Hebard,  
Knowlton,  
Leland,  
Livermore,  
McLeod,  
Mosher,  
P. Power,  
Porter,  
Pratt,

Mr. Ramsdell,  
Ruehle,  
Rix,  
Rowland,  
Runyan,  
Saunders,  
Sheldon,  
Stone,  
Videto,  
D. C. Walker,  
White, 33

## NAYS.

Mr. Barnard,  
H. L. Miller,  
Murphy,

Mr. Parmelee,  
R. D. Power,  
Snell,

Mr. H. N. Walker,  
Speaker,

The following message was received from the Senate :

SENATE CHAMBER,  
February 26, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the “bill supplementary to an act entitled an act to amend an act entitled an act to provide for the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners and for other purposes, approved February 20, 1844,” and to inform the House that the Senate have concurred therein.

Also, to inform the House that the Senate have concurred in the House amendment to the Senate amendment to the joint resolution for the adjournment of the legislature.

JAS. E. PLATT,  
*Secretary of Senate.*

The “bill supplementary to an act entitled an act to amend an act entitled an act to provide for the issuing and return of venire, the payment of jurors, the appointment of of circuit court commissioners, and for other purposes, approved February 20, 1844,” was ordered to be enrolled.

On motion of Mr. Murphy, the House adjourned.

*Tuesday, February 27, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Knight, O. Miller and Schoolcraft were absent on leave, and Messrs. MacLeod, and Saunders were absent without leave.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and approved.

Mr. H. N. Walker presented the claim of E. D. Ellis. Referred to the committee on claims.

Mr. M. Hall asked and obtained leave of absence for Mr. MacLeod for the day.

#### REPORTS.

Mr. D. C. Walker from the committee on ways and means, to whom was referred the Senate “joint resolution authorizing the governor to

appoint an agent to take charge of certain state property," reported same back without amendment.

The report was accepted, the committee discharged and the joint resolution referred to the committee of the whole.

Mr. Shurtz, from the committee on roads and bridges, to whom was referred the Senate 'bill to provide for laying out a state road from Lexington to Point au Barque,' reported the same back without amendment.

The report was accepted, the committee discharged and the bill referred to the committee of the whole.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed the 'bill to establish a land office; to prescribe and regulate the disposition of the public lands, and for other purposes.

Also, reported as correctly enrolled "an act supplementary to an act entitled 'an act to amend an act entitled 'an act to provide for the issuing and return of venire, the payment of jurors, the appointment of circuit court commissioners and for other purposes,' approved February 20, 1844.'" and a joint resolution relative to the improvement of Grand River; and that the same have been this day presented to the governor for his approval.

#### MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. H. N. Walker, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the charter of the city of Detroit, and for other purposes, and Messrs. H. N. Walker, Rix and Delamatter were appointed a committee to bring in the bill.

Mr. Rowland asked and obtained leave of absence for Mr. H. N. Walker for the day.

On motion of Mr. Stone,

*Resolved*, That the engrossing and enrolling clerk of the House be authorized to employ an assistant clerk whenever it may be necessary during the session.

The "bill to amend chapter three, title three, part first of the revised statutes, relative to the duties of county surveyors," was read a third time and passed.

The "bill to organize a land office, to prescribe and regulate the disposition of the public lands, and for other purposes," was read the third time, when,

Mr. Joslin asked and obtained the unanimous consent of the House to amend section 21, by inserting after the word "lands," in the first line the words "and state building lands," which amendment was adopted.

On motion of Mr. Joslin, the blank in the third line of section 30, was filled by inserting "21st."

On motion of Mr. Pratt, the unanimous consent of the House was given to offer a motion to strike out the words "and fifty cents" in the first line of section 10, which motion prevailed.

The bill was then passed by the following vote :

## YEAS.

Mr. Adams,	Mr. Hawley,	Mr. Rix,
Baldwin,	Joslin,	Runyan,
Blindbury,	Leland,	Saunders,
Chester,	Livermore,	Sheldon,
Delamatter,	Mosher,	Stone,
Dunham,	Parmelee,	Tillson,
Fairfield,	P. Power,	Videto,
Ferguson,	Porter,	Van Husan,
H. Hall,	Ramsdell,	D. C. Walker,
M. Hall,	Ruehle,	

29

## NAYS.

Mr. Ames,	Mr. Knowlton,	Mr. Rowland,
Barnard,	H. L. Miller,	Snell,
Davis,	Murphy,	Vickery,
Griffin,	R. D. Power,	White,
Haydon,	Pratt,	Speaker,
Hebard,		

16

The House then took up the "bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville," and the question being on concurring in the Senate amendments to the bill, they were non-concurred in, and the appointment of a committee of conference asked.

The House then went into committee of the whole on the "bill to authorize the supervisors of Kent county to build a free bridge across Grand river at Grand Rapids." Mr. Baldwin in the chair, and after a short time spent thereon, the committee rose, and by their Chairman reported the bill back with an amendment, in which the concurrence of the House was asked.

The amendment was non-concurred in.



On motion of Mr. Joslin, the words "internal improvement" were inserted before the word "land" in the first line of section two.

Mr. Hawley moved to strike out all after the word "bridge" in the second line of section two, to the word "shall" in the third line, and insert "the commissioner of the land office," which motion was lost.

On motion of Mr. D. C. Walker, the following proviso was added to the second section: *Provided*, That no such land shall be selected until the same shall first have been offered for sale at public auction."

Mr. Rowland moved to strike out the word "six" in the first line of section 2, and insert "five," which motion, after some discussion, was withdrawn.

On motion of Mr. White the word "forty" in the fourth line of section 2, was stricken out, and "eighty" inserted, and the words "unless for fractional lots according to legal subdivision" in the same line stricken out.

The bill was then ordered to be engrossed for a third reading.

The following message was received from the Senate:

SENATE CHAMBER, }  
February 27, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "bill to provide for the publication of the decisions of the supreme court and court of chancery," and to respectfully inform you that the Senate have concurred in the House amendment to the third amendment of the Senate to said bill.

Also to return the "bill to incorporate the Detroit and Birmingham plank road company," and to inform the House that the Senate have passed the same with sundry amendments in which they respectfully ask the concurrence of the House.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "bill to provide for the publication of the decisions of the supreme court and court of chancery," was ordered to be enrolled.

On motion of Mr. Pratt the "bill to incorporate the Detroit and Birmingham plank road company," was laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. Pratt in the chair, and after some time spent

Mr. Joslin asked and obtained the unanimous consent of the House to amend section 21, by inserting after the word "lands," in the first line the words "and state building lands," which amendment was adopted.

On motion of Mr. Joslin, the blank in the third line of section 30, was filled by inserting "21st."

On motion of Mr. Pratt, the unanimous consent of the House was given to offer a motion to strike out the words "and fifty cents" in the first line of section 10, which motion prevailed.

The bill was then passed by the following vote :

## YEAS.

Mr. Adams,	Mr. Hawley,	Mr. Rix,
Baldwin,	Joslin,	Runyan,
Blindbury,	Leland,	Saunders,
Chester,	Livermore,	Sheldon,
Delamatter,	Mosher,	Stone,
Dunham,	Parmelee,	Tillson,
Fairfield,	P. Power,	Videto,
Ferguson,	Porter,	Van Husan,
H. Hall,	Ramsdell,	D. C. Walker,
M. Hall,	Ruehle,	29

## NAYS.

Mr. Ames,	Mr. Knowlton,	Mr. Rowland,
Barnard,	H. L. Miller,	Snell,
Davis,	Murphy,	Vickery,
Griffin,	R. D. Power,	White,
Haydon,	Pratt,	Speaker,
Hebard,		16

The House then took up the "bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville," and the question being on concurring in the Senate amendments to the bill, they were non-concurred in, and the appointment of a committee of conference asked.

The House then went into committee of the whole on the "bill to authorize the supervisors of Kent county to build a free bridge across Grand river at Grand Rapids." Mr. Baldwin in the chair, and after a short time spent thereon, the committee rose, and by their Chairman reported the bill back with an amendment, in which the concurrence of the House was asked.

The amendment was non-concurred in.

On motion of Mr. Joslin, the words "internal improvement" were inserted before the word "land" in the first line of section two.

Mr. Hawley moved to strike out all after the word "bridge" in the second line of section two, to the word "shall" in the third line, and insert "the commissioner of the land office," which motion was lost.

On motion of Mr. D. C. Walker, the following proviso was added to the second section: *Provided*, That no such land shall be selected until the same shall first have been offered for sale at public auction."

Mr. Rowland moved to strike out the word "six" in the first line of section 2, and insert "five," which motion, after some discussion, was withdrawn.

On motion of Mr. White the word "forty" in the fourth line of section 2, was stricken out, and "eighty" inserted, and the words "unless for fractional lots according to legal subdivision" in the same line stricken out.

The bill was then ordered to be engrossed for a third reading.

The following message was received from the Senate:

SENATE CHAMBER, }  
February 27, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "bill to provide for the publication of the decisions of the supreme court and court of chancery," and to respectfully inform you that the Senate have concurred in the House amendment to the third amendment of the Senate to said bill.

Also to return the "bill to incorporate the Detroit and Birmingham plank road company," and to inform the House that the Senate have passed the same with sundry amendments in which they respectfully ask the concurrence of the House.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "bill to provide for the publication of the decisions of the supreme court and court of chancery," was ordered to be enrolled.

On motion of Mr. Pratt the "bill to incorporate the Detroit and Birmingham plank road company," was laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. Pratt in the chair, and after some time spent

thereon the committee rose, and by their chairman reported that they had had under consideration, a "bill for the encouragement of agriculture," and a "bill to amend title 4, part 3, chapter 4 of the revised statutes, relative to reversal and arrest of judgments," which they reported back with amendments in which the concurrence of the House was asked, and a "bill for the reorganization of the trustees of certain societies of the Methodist Episcopal church," a "bill to provide for laying out a certain state road and for other purposes," and a "joint resolution in relation to the tariff on railroad iron," which they reported back without amendment.

The "bill to provide for laying out a certain state road and for other purposes," and the "joint resolution relative to the tariff on railroad iron," were severally ordered to be engrossed for a third reading.

The "bill for the reorganization of the trustees of certain societies of the Methodist Episcopal church," was ordered to a third reading.

The amendment (striking out all after the enacting clause) to the "bill to amend title 4, part 3, chapter 4, of the revised statutes, relative to reversal and arrest of judgments," was concurred in, and

On motion of Mr. D. C. Walker, the enacting clause was indefinitely postponed.

The amendment to the "bill for the encouragement of agriculture" was concurred in, and the bill ordered to a third reading by the following vote:

## YEAS.

Mr. Adams,	Mr. Knowlton,	Mr. Rix,
Ames,	Lamond,	Rowland,
Baldwin,	Leland,	Runyan,
Delamatter,	Livermore,	Saunders,
Dunham,	H. L. Miller,	Shurtz,
Fairfield,	Murphy,	Snell,
Ferguson,	Parmelee,	Tillson,
Griffin,	P. Power,	Videto,
H. Hall,	R. D. Power,	D. C. Walker,
M. Hall,	Pratt,	White,
Haydon,	Ramsdell,	Speaker, 33

## NAYS.

Mr. Barnard,	Mr. Hebard,	Mr. Ruehle,
Blindbury,	Joslin,	Sheldon,
Davis,	Mosher,	Van Huse,
Hawley,	Porter,	

11

On motion of Mr. Livermore the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Knight, McLeod, O. Miller, Schoolcraft and H. N. Walker, were absent on leave, and Messrs. M. Hall, Murphy, Ramsdell, Saunders, Sheldon, Shurtz and Stone, were absent without leave.

The House went into committee of the whole on the general order, Mr. H. L. Miller in the chair, and after some time spent thereon the committee rose, and by their chairman reported that they had had under consideration a "bill to remove the restrictions in the practice of law, and to regulate attorneys in the several courts of record in this state," which they reported back with several amendments, in which the concurrence of the House was asked.

The amendments were concurred in, and

On motion of Mr. Shurtz, the bill was committed to a select committee.

The Speaker announced as such committee, Messrs. Shurtz, Pratt and R. D. Power.

The House then went into committee of the whole on the general order, Mr. Joslin in the chair, and after spending some time thereon the committee rose, and by their chairman reported that they had had under consideration a "bill to incorporate the Rochester and Royal Oak plank road company," a "bill to establish the county of Washington," which they reported back with amendments in which the concurrence of the House was asked, and a "bill to attach the counties of Kent and Ottawa to the third judicial circuit of the supreme court," a "bill to amend an act entitled an act to extend the time for the collection of taxes in the counties of Genesee, Clinton, Shiawassee, Kent, Lapeer and St. Clair, a "bill to amend an act entitled an act to incorporate the Grand Rapids bridge company," a "joint resolution authorizing the agent of the state prison, under the direction of the inspectors thereof to procure certain machinery to be used at said prison," and a "bill relative to the streets of recorded, but unincorporated, village plats" which they reported back without amendment.

The amendments to the "bill to incorporate the Rochester and Royal Oak plank road company," were concurred in.

On motion of Mr. Joslin, the words "and detain" were stricken out of the 12th line of section 7.

On motion of Mr. White,

Section 11 was amended by inserting after the word "stockholders" in the second line, the following: "under a penalty of three times the amount of the stock paid in by the stockholders demanding such examination, to be sued for in any court having competent jurisdiction."

Mr. Fairfield offered the following as section 15:

"Sec. 15. The stockholders of said company shall be individually liable for all debts and liabilities thereof, and may be sued either jointly or severally for the recovery of the same, and such liability shall continue for the term of one year from the time they shall cease to be such stockholders as aforesaid."

Mr. Pratt moved to strike out all after the word "same" in the amendment, which was lost.

The question then recurring on the amendment, it prevailed.

The bill was then ordered to be engrossed for a third reading.

The House then took up the "bill relative to the streets of recorded but unincorporated village plats."

On motion of Mr. M. Hall, the words "as are required and used," were stricken out of the second and third lines, and the words "the commissioners of highways shall deem to be required" inserted.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. D. C. Walker, the "bill to establish the county of Washington," was laid on the table.

The "bill to amend an act entitled 'an act to extend the time for the collection of taxes in the counties of Genesee, Clinton, Shiawassee, Kent, Lapeer and St. Clair,'" was ordered to a third reading.

On motion of Mr. Lamond, the 21st rule was suspended and the bill read a third time and passed.

The "bill to attach the counties of Kent and Ottawa to the third judicial circuit of the supreme court," was ordered to be engrossed for a third reading.

On motion of Mr. Joslin, the "joint resolution relative to machinery for state prison," was laid on the table.

On motion of Mr. Haydon,

The "bill to amend an act entitled 'an act to incorporate the Grand Rapids bridge company,'" was laid on the table.

The following message was received from the Senate :

SENATE CHAMBER, }  
February 27, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to respectfully inform the House that the Senate insist upon the amendments to the "bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville," and have appointed as a committee of conference thereon, on their part, Senators Redfield, Niles and Green.

Also, to return the "bill to provide for consolidating and revising the general laws of the State of Michigan," and to inform the House that the Senate have concurred in the House amendments thereto, with certain amendments in which they respectfully ask the concurrence of the House.

Also, to transmit a "bill to incorporate the Peninsular Mutual Fire and Marine Insurance company," and a "bill to incorporate the Grand Rapids academy," which the Senate have passed and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

Messrs. Adams, Chester and H. Hall were appointed a committee of conference on the part of the House on the "bill for the appropriation of certain highway taxes," &c.

Mr. Mosher offered the following resolution, which did not prevail:

*Resolved*, That when this House adjourn, it will adjourn to meet at seven o'clock, P. M.

On motion of Mr. Livermore, the House adjourned.

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*Wednesday, February 28, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Knight, O. Miller and Schoolcraft were absent on leave, and Messrs. Fairfield, McLeod and Rix were absent without leave.

Prayer by Rev. Mr. Pilcher.

The journal of yesterday was read and approved.

Mr. Leland presented the petition of fifty-four citizens of the township of Scio, for an alteration of the license laws. Laid on the table.

#### REPORTS.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the "bill to amend an act entitled 'an act to provide for the equitable settlement of the estates of deceased persons,' approved March 8, 1843," reported the same back without amendment and recommended that it be not passed.

The report was accepted, the committee discharged and the bill referred to the committee of the whole

Mr. D. C. Walker, from the committee on ways and means, reported "a bill to provide for the current expenses of the state for the year one thousand eight hundred and forty-four," and "a bill to amend an act entitled 'an act relative to the auditor general and state treasurer and the offices of both,' approved April 1, 1840," which were severally read twice, referred to the committee of the whole and ordered to be printed.

Mr. Ramsdell, from the committee on the judiciary, reported "a bill to amend the law relative to crimes;" which was read twice, referred to the committee of the whole and ordered to be printed.

Mr. Pratt, from the committee on engrossment and enrolment, reported as correctly enrolled, "a bill to provide for the publication of the decisions of the supreme court and court of chancery," and that the same had been this day presented to the governor for his approval.

Also, reported as correctly engrossed, "a bill to provide for laying out a certain state road, and for other purposes;"

"A bill relative to the streets of recorded but unincorporated village plats;"

"A bill to attach the counties of Kent and Ottawa to the third judicial circuit of the supreme court;"

"A bill to authorize the supervisors of Kent county to build a free bridge across Grand river at Grand Rapids;"

"A bill to provide for the better organization and discipline of the militia;" and,

"A bill to incorporate the Rochester and Royal Oak plank road company."



Mr. H. N. Walker, from the select committee appointed for that purpose, reported a "bill to amend the charter of the city of Detroit," which was read twice, referred to the committee of the whole, and ordered printed.

Mr. Mosher, from the select committee appointed for that purpose, reported a "bill to amend part three, title three, chapter four, section twenty-eight of the revised statutes," which was read twice, referred to the committee of the whole, and ordered printed.

Mr. Parmelee from a select committee, made the following report :

The select committee to whom was referred the "petition of Willard Hays, and 62 other citizens of Barry county, praying for the passage of a law for the preservation of deer," respectfully report that they have had the subject of the petition under consideration and beg leave to report the following bill :

The report was accepted, the committee discharged, and the "bill to provide for the preservation of deer," was read twice, referred to the committee of the whole, and ordered printed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Pratt, the motion to reconsider the vote by which the "bill to incorporate the Alphadelphia association" was lost, was taken from the table.

The question being on reconsideration, it prevailed by the following vote :

#### YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Ramsdell,
Barnard,	Knowlton,	Rix,
Baldwin,	Lamond,	Sheldon,
Chester,	Leland,	Snell,
Davis,	Livermore,	Videto,
Delamatter,	Murphy,	Vickery,
H. Hall,	P. Power,	D. C. Walker,
M. Hall,	R. D. Power,	White,
Haydon,	Pratt,	Speaker, 27

#### NAYS.

Mr. Berry,	Mr. Hebard,	Mr. Runyan,
Blindbury,	H. L. Miller,	Saunders,
Dunham,	Mosher,	Shurtz,
Fairfield,	Parmelee,	Stone,
Ferguson,	Porter,	Tillson,
Griffin,	Ruehle,	Van Husan, 21
Hawley,	Rowland,	

On motion of Mr. Pratt, the bill was laid on the table.

Mr. Snell offered a "joint resolution appointing Zimri Curtis a commissioner to lay out a state road," which was read twice, and,

On motion of Mr. Pratt, the rule was suspended, and the joint resolution was ordered to a third reading.

Mr. D. C. Walker moved that the "bill making appropriations on the Central railroad," be made the special order of the day, for to day, which motion was lost, by the following vote :

YEAS.

Mr. Baldwin,	Mr. Livermore,	Mr. Videto,
Delamatter,	Parmelec,	Vickery,
H. Hall,	Porter,	Van Husan,
M. Hall,	Pratt,	D. C. Walker,
Hawley,	Rainsdell,	H. N. Walker,
Haydon,	Ruehle,	White,
Joslin,	Sheldon,	Speaker,
Leland,	Tillson,	

23

NAYS.

Mr. Adams	Mr. Griffin,	Mr. Rix
Barnard,	Hebard,	Rowland,
Blindbury,	Knowlton,	Runyan,
Chester,	H. L. Miller,	Saunders,
Davis,	Mosher,	Shurtz
Dunham,	Murphy	Snell,
Fairfield,	P. Power,	Stone,
Ferguson,	R. D. Power,	

23

The following communication was received from the Senate :

SENATE CHAMBER, }  
February 23, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the 'bill to organize certain townships, and for other purposes,' and to inform the House that the Senate have passed the same with certain amendments, in which they respectfully ask the concurrence of the House.

JAMES E. PLATT,  
*Secretary of the Senate.*

The amendments to the 'bill to organize certain townships and for other purposes,' were concurred in and the bill ordered to be enrolled.

THIRD READING OF BILLS.

The 'joint resolution appointing Zimri Curtis a commissioner to lay out a state road,' was read the third time and passed.

The 'bill to provide for laying out a certain state road, and for other purposes,' was read the third time and passed, and,

On motion of Mr. H. L. Miller, the title was amended, by striking out the words 'and for other purposes,' and the title as amended was agreed to.

The 'bill for the reorganization of the trustees of certain societies of the Methodist Episcopal church' was read the third time and passed.

The 'bill for the encouragement of agriculture,' was read the third time and passed by the following vote:

## YEAS.

Mr. Adams,	Mr. H. Hall,	Mr. Rix,
Ames,	Haydon,	Runyan,
Barnard,	Knowlton,	Saunders,
Baldwin,	Lamond,	Shurtz,
Berry,	Leland,	Snell,
Chester,	Livermore,	Tillson,
Davis,	H. L. Miller,	Videto,
Delanatter,	Murphy,	Vickery,
Dunham,	Parmer,	Van Huse,
Fairfield,	P. Power,	White,
Ferguson,	R. D. Power,	Speaker,
Griffin,	Pratt,	

35

## NAYS.

Mr. Blindbury,	Mr. Joslin,	Mr. Ruehle,
M. Hall,	Mosher,	Sheldon,
Hawley,	Ramsdell,	Stone,
Hebard,		

10

The 'bill for the better organization and discipline of the militia,' was read the third time, when

Mr. Rowland moved to lay it on the table, which motion was lost.

Mr. Rowland moved that a call of the House be had, which motion did not prevail.

Mr. Livermore moved to recommit the bill to the select committee with instructions to reduce the salary of the adjutant general from six to four hundred dollars.

Mr. Joslin moved to amend the motion by reducing the salary to three hundred dollars, and the per diem allowance of certain officers from three to two dollars, which amendment was accepted by Mr. Livermore.

Pending the question, Mr. Ramsdell moved to lay the bill on the table, which motion was lost.

Mr. Fairfield moved to amend the instructions by fixing the salary

of the adjutant general at five hundred and fifty dollars, which motion was lost.

The question then recurring on the instructions, it prevailed, and the bill was then recommitted.

The "bill relative to the streets of recorded but unincorporated village plats;" the "bill to attach the counties of Kent and Ottawa to the third judicial circuit of the supreme court," and the "joint resolution relative to the tariff on railroad iron," were severally read the third time and passed.

On motion of Mr. Pratt,

The "bill to incorporate the Rochester and Royal Oak plank road company," was laid on the table.

The "bill to authorize the supervisors of Kent county to build a free bridge across Grand river at Grand Rapids," was read the third time and passed.

#### UNFINISHED BUSINESS.

The "bill to incorporate the Peninsular mutual fire and marine insurance company," was read twice and referred to the committee on banks and incorporations.

The "bill to incorporate the Grand Rapids academy," was read twice and referred to the committee on education.

The Senate amendments to the "bill to organize certain townships and for other purposes," were concurred in and the bill ordered to be enrolled.

The Senate amendments to the House amendments to the "bill to provide for consolidating and revising the general laws of the state of Michigan," were concurred in.

The House then took up the "bill to organize the county of Washington," when

Mr. D. C. Walker moved its indefinite postponement; and, after some debate,

Mr. Porter moved the previous question, which was not sustained.

The question being on the indefinite postponement, it was lost by yeas and nays as follows :

#### YEAS.

Mr. Dunham,  
Knowlton,  
Leland,  
Murphy,  
P. Power,

Mr. Porter,  
Ruehle,  
Snell,  
Stone,

Mr. Tillson,  
Vickery,  
Van Husean,  
D. C. Walker,

## NAYS.

Mr. Adams,	Mr. Hawley,	Mr. Rix,
Ames,	Joslin,	Rowland,
Barnard,	Lamond,	Runyan,
Baldwin,	Livermore,	Saunders,
Blindbury,	McLeod,	Sheldon,
Chester,	H. L. Miller,	Shurtz,
Delamatter,	Mosher,	Videto,
Griffin,	Parmalee,	H. N. Walker,
H. Hall,	Pratt,	Speaker,
M. Hall,	Ramsdell,	

29

On motion of Mr. Shurtz, the bill was laid on the table.

The House then took up the "bill to incorporate the Detroit and Birmingham plank road company," and the question being on concurring in the amendments made by the Senate, the first, second, fourth and sixth amendments were severally concurred in, and the third, fifth, seventh, eighth, ninth, tenth and eleventh amendments were severally non-concurred in.

The House then took up the "joint resolution authorizing the agent of the state prison, under the direction of the inspectors thereof, to procure certain machinery to be used at said prison," when

Mr. Ferguson moved to lay the resolution on the table, which motion was lost.

The question then being on ordering the resolution to a third reading, it was decided in the negative.

On motion of Mr. Leland, the "bill to amend an act entitled 'an act to incorporate the Grand Rapids Bridge Company,'" was laid on the table.

Mr. Porter moved an adjournment, which was lost.

The question then being on the House resolving itself into committee of the whole on the general order, it was decided in the negative.

On motion of Mr. Leland, the House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. O. Miller and Schoolcraft were absent on leave, and Messrs. Ames, Barnard, M. Hall, Knowlton, Livermore, R. D. Power, Saunders, and H. N. Walker, absent without leave.

Mr. H. L. Miller asked and obtained leave of absence for Mr. H. N. Walker till Friday morning.

The House then went into committee of the whole on the general order, Mr. McLeod in the chair, and after spending some time thereon, the committee rose, and by their chairman, reported that they had had under consideration, a "bill to discontinue a portion of a certain state road," a "bill to authorize sheriff's to do business in justices court, and for other purposes," a "bill to improve the navigation of the Flint River," a "bill to provide for the laying out and establishing a certain state road," a "bill to incorporate the Cottonwood Swamp Turnpike Company," and a "bill making appropriations on the Central Railroad for 1844," which they reported back with amendments, in which the concurrence of the House was asked, and a "bill to amend an act entitled 'an act to provide for the collection of demands against boats and vessels,' approved April 10th, 1839," and a "bill to amend section three of an act entitled 'an act to repeal a part of chapter eight, title five, part first of the revised statutes, and for other purposes,' approved February 17, 1842," which they reported back without amendment; and a "bill making appropriations to defray certain expenses authorized for the year 1844," on which they reported they had made some progress, and asked leave to sit again. Leave was granted.

The amendments to the 'bill to discontinue a certain state road,' were concurred in, and the bill ordered to be engrossed for a third reading.

The 'bill to amend section three of an act entitled an act to repeal a part of chapter eight title five, part first of the revised statutes, and for other purposes, approved February 17, 1842,' was ordered to be engrossed for a third reading.

The amendments to the 'bill to provide for the laying out and establishing a certain state road,' were concurred in.

On motion of Mr. Stone, the following section was added to the bill.

Sec. 2. That William White, Warren E. Whiting and Orange Risdon, be and they are hereby authorized to lay out and establish a state road from the village of Newport, in the county of Monroe, to intersect the Chicago road at or near the village of Saline, in the county of Washtenaw, on the most eligible route, and file the survey of so much of said road in the office of the township clerk of each township through which said road shall pass as shall be laid out in such township.'

The bill was then ordered to be engrossed for a third reading.

The 'bill to amend an act entitled an act to provide for the collection of demands against boats and vessels, approved April 10, 1839,' was ordered to a third reading.

The amendments to the 'bill to improve the navigation of the Flint River, were concurred in, and the bill ordered to be engrossed for a third reading.

The amendment (striking out all after the enacting clause) to the 'bill to authorize sheriffs to do business in justices courts, and for other purposes,' was concurred in.

The amendments to the "bill to incorporate the Cottonwood Swamp turnpike company" were concurred in.

On motion of Mr. Leland, the words "on Sunday" were stricken out of the fourth and fifth lines of section 7.

The bill was then ordered to be engrossed for a third reading.

The amendments to the "bill making appropriations on the Central rail road, for 1844," were concurred in by the following vote :

## YEAS.

Mr. Barnard,	Mr. Leland,	Mr. Shurtz,
Blindbury,	Livermore,	Snell,
Delamatter,	McLeod,	Stone,
Fairfield,	Parmalee,	Tillson,
Griffin,	R. D. Power,	Videto,
H. Hall,	Porter,	Vickery,
M. Hall,	Pratt,	Van Hulan,
Haydon,	Ruehle,	D. C. Walker,
Hebard,	Rix,	H. N. Walker,
Joslin,	Rowland,	White,
Knight,	Runyan,	Speaker,
Lamond,	Sheldon,	

35

## NAYS.

Mr. Adams,	Mr. Davis,	Mr. Murphy,
Ames,	Dunham,	P. Power,
Baldwin,	Ferguson,	Ramsdell,
Berry,	Knowlton,	Parmelee,
Chester,	Mosher	

14

Mr. Adams moved to amend by adding :

"And there is further appropriated out of the lands aforesaid, twenty-five thousand acres of land, for the purpose of grubbing and grading the Southern railroad from Hillsdale to Coldwater," pending which,

Mr. Ferguson moved to lay the bill on the table, which motion was lost by the following vote :

## YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. P. Power,
Ames,	Ferguson,	R. D. Power,
Baldwin,	Griffin,	Rowland,
Berry,	Knowlton,	Runyan,
Chester,	H. L. Miller,	Sturtz,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
		21

## NAYS.

Mr. Barnard,	Mr. Leland,	Mr. Sheldon,
Blindbury,	Livermore,	Tillson,
Delamatter,	McLeod,	Videto,
H. Hall,	Parmelee,	Vickery,
M. Hall,	Porter,	Van Husan,
Haydon,	Pratt,	D. C. Walker,
Hebard,	Ramsdell,	H. N. Walker,
Joslin,	Ruehle,	White,
Knight,	Rix,	Speaker,
Lamond,	Saunders,	29

The question then recurring on the amendment offered by Mr. Adams, it was lost by yeas and nays as follows :

## YEAS.

Mr. Adams,	Mr. Dunham,	Mr. Murphy,
Ames,	Fairfield,	Runyan,
Berry,	Ferguson,	Shurtz
Chester,	Griffin,	Stone,
		12

## NAYS.

Mr. Barnard,	Mr. Leland,	Mr. Rowland,
Baldwin,	Livermore,	Saunders,
Blindbury,	McLeod,	Sheldon,
Davis,	Mosher,	Snell,
Delamatter,	Parmelee,	Tillson,
H. Hall,	P. Power,	Videto,
M. Hall,	R. D. Power,	Vickery,
Haydon,	Porter,	Van Husan,
Hebard,	Pratt,	D. C. Walker,
Joslin,	Ramsdell,	H. N. Walker,
Knight,	Ruehle,	White,
Knowlton,	Rix,	Speaker,
Lamond,		37

Mr. Fairfield moved to amend by adding "and twenty thousand acres for the repair of the Southern railroad, between Monroe and Adrian," which motion was lost.



Mr. Baldwin moved to add the following, "that one hundred thousand acres of land be appropriated towards constructing the Clin on and Kalamazoo canal west of and beginning at Pontiac, on the same conditions as the appropriation on the Central railroad," which motion was lost by the following vote :

YEAS.		
Mr. Adams, Barnard, Baldwin, Berry,	Mr. Dunham, Fairfield, Ferguson, Griffin,	Mr. Murphy, R. D. Power, Stone,
		11
NAYS.		
Mr. Ames, Chester, Davis, Delamatter, H. Hall, M. Hall, Haydon, Hebard, Joslin, Knight, Knowlton, Leland, Livermore,	Mr. McLeod, Mosher, Parmelee, P. Power, Porter, Pratt, Ramsdell, Ruehle, Rix, Rowland, Runyan, Saunders, Sheldon.	Mr. Shurtz, Snell, Tillson, Videto, Vickery, Van Husan, D. C. Walker, H. N. Walker, White, Speaker,
		37

Mr. Murphy moved an adjournment which was lost.

Mr. Shurtz moved to add the following :

"Also a further appropriation for the improvement of the St. Joseph river, 15 thousand acres of land as above mentioned, which shall fully satisfy all appropriations prior to the year 1842."

Which motion was decided in the negative by the following vote:

YEAS.		
Mr. Adams, Ames, Berry, Chester, Dunham,	Mr. Fairfield, Ferguson, Griffin, Murphy,	Mr. R. D. Power, Runyan, Shurtz, Stone,
		13
NAYS.		
Mr. Barnard, Baldwin, Blindbury, Davis, Delamatter, H. Hall, M. Hall, Haydon,	Mr. Lamond, Leland, Livermore, McLeod, Mosher, Parmelee, P. Power, Porter,	Mr. Saunders, Sheldon, Snell, Tillson, Videto, Vickery, Van Husan, D. C. Walker,

Hebard,  
Joslin,  
Knight,  
Knowlton,

Pratt,  
Ramsdell,  
Ruehle,  
Rix,

H. N. Walker,  
White,  
Speaker,

35

Mr. Shurtz moved to add, "also for the improvement of the St. Joseph river, twelve thousand acres of the lands above mentioned," which motion did not prevail.

Mr. Fairfield moved an adjournment, which was lost.

Mr. Shurtz moved to add, "also, for the improvement of the St. Joseph river, ten thousand acres of the above mentioned lands," which motion was lost.

Mr. Fairfield moved to add, "and sixty-four thousand acres for the purpose of grubbing and grading the Southern railroad from Hillsdale to Coldwater," which motion did not prevail.

Mr. Berry moved an adjournment, which was lost.

Mr. Pratt moved to lay the bill on the table, which motion was lost.

Mr. Fairfield moved the indefinite postponement of the bill, pending which,

Mr. Rowland moved an adjournment, which motion was lost.

Mr. Ferguson moved that a call of the House be ordered, which did not prevail.

The question recurring on the indefinite postponement of the bill, it was decided in the negative by the following vote:

## YEAS.

Mr. Adams,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Knowlton,  
Mosher,  
Murphy,

Mr. P. Power,  
R. D. Power,  
Pratt,  
Runyan,  
Suell,  
Stone,

19

## NAYS.

Mr. Ames,  
Blindbury,  
Delamatter,  
H. Hall,  
M. Hall,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Lamond,

Mr. Leland,  
Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,  
Saunders,

Mr. Sheldon,  
Shurtz,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

30

Mr. Pratt moved an adjournment, which was lost by yeas and nays as follows :

## YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. R. D. Power,	
Ames,	Ferguson,	Pratt,	
Barnard,	Griffin,	Rowland,	
Baldwin,	Knowlton,	Runyan,	
Chester,	Mosher,	Shurtz,	
Davis,	Murphy,	Snell,	
Dunham,	P. Power,	Stone,	21

## NAYS.

Mr. Blindbury,	Mr. Leland,	Mr. Sheldon,	
Delamatter,	Livermore,	Tillson,	
H. Hull,	McLeod,	Videto,	
M. Hall,	Parmelee,	Vickery,	
Haydon,	Porter,	Van Hulan,	
Hebard,	Ramsdell,	D. C. Walker,	
Joslin,	Ruehle,	H. N. Walker,	
Knight,	Rix,	White,	
Lamond,	Saunders,	Speaker,	27

Mr. Pratt moved to lay the bill on the table, which motion was decided in the negative by the following vote :

## YEAS.

Mr. Adams,	Mr. Ferguson,	Mr. Pratt,	
Ames,	Griffin,	Rowland,	
Barnard,	Knowlton,	Runyan,	
Baldwin,	Lamond,	Shurtz,	
Chester,	Mosher,	Snell,	
Davis,	Murphy,	Stone,	
Dunham,	P. Power,	Speaker,	23
Fairfield,	R. D. Power,		

## NAYS.

Mr. Blindbury,	Mr. Livermore,	Mr. Sheldon,	
Delematter,	McLeod,	Tillson,	
H. Hall,	Parmelee,	Videto,	
M. Hall,	Porter,	Vickery,	
Haydon,	Ramsdell,	Van Hulan,	
Hebard,	Ruehle,	D. C. Walker,	
Joslin,	Rix,	H. N. Walker,	
Knight,	Saunders,	White,	
Leland,			25

On motion of Mr. Delamatter, the House adjourned.

*Thursday, February 29, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. O. Miller, Schoolcraft, and H. N. Walker, were absent on leave.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Pratt, of Elihu Morse, and thirty two other citizens of the counties of Wayne and Oakland, for the abolition of capital punishment. Laid on the table.

By Mr. Ruehle, of sundry citizens of the county of Wayne, for the incorporation of the "Alphadelphia association" Laid on the table.

By Mr. Rix, of True P. Tucker, and other citizens of St. Clair county, asking the establishment of a ferry across the St. Clair river. Referred to the committee on roads and bridges.

REPORTS.

Mr. Pratt, from the committee on engrossment and enrollment reported as correctly engrossed

"A bill to amend section three of an act entitled 'an act to repeal a part of chapter eight, title five, part first of the revised statutes, and for other purposes,' approved February 17, 1842."

"A bill to discontinue a portion of a certain state road."

"A bill to provide for laying out and establishing certain state roads," and

"A bill to incorporate the Cottonwood swamp turnpike company."

"Also, from the same committee, reported as correctly enrolled, "a bill to organize certain townships and for other purposes," and that the same was this day presented to the Governor for his signature.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Detroit, February 24, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act supplementary to an an act entitled 'an act to amend an act entitled an act to provide for the issuing and return of venires, the payment of jurors, the appointment of circuit court commissioners, and for other purposes,' approved February 20, 1844."

Also, "an act authorizing the receipt of obligations of this state in payment of university lands."

JNO. S. BARRY.

MOTIONS, RESOLUTIONS, AND NOTICES.

On motion of Mr. Delamatter,

*Resolved*, That no new bill shall be received by this House after Monday, the 4th day of March next, except by a vote of three fourths of the members present.

Mr. Adams gave notice that on to-morrow he should ask leave to introduce a bill making appropriations for the extension of the Southern railroad.

Mr. Ferguson gave notice that on to-morrow, he should ask leave to bring in a bill to appropriate lands for certain purposes.

On motion of Mr. H. L. Miller,

*Resolved*, That the committee of ways and means to whom was referred a certain joint resolution sent to this House by the Senate proposing to remove the seat of government of this state to Ann Arbor, be required to report the same forthwith back to this House.

THIRD READING OF BILLS.

The "bill to amend section three, of an act entitled an act to repeal a part of chapter eight, title five, part first of the revised statutes and for other purposes, approved February 17, 1842,"

The "bill to amend an act entitled an act to provide for the collection of demands against boats and vessels," approved April 10th, 1839,

The "bill to discontinue a portion of certain state roads," and

The "bill to lay out and establishing certain state roads," were severally read the third time and passed.

The "bill to incorporate the Cottonwood swamp turnpike company," was read the third time, when,

Mr. Delamatter asked and obtained the unanimous consent of the House to offer an amendment by striking out the word 'four' in line ten of the sixth section, and insert 'two,' which amendment prevailed.

The bill was then passed by the following vote:

YEAS.

Mr. Adams,  
Barnard,  
Berry,  
Chester,

Mr. Hebard,  
Joslin,  
Knowlton,  
Leland,

Mr. Runyan,  
Saunders,  
Sheldon,  
Shurtz,

Davis,	Livermore,	Snell,
Delamatter,	McLeod,	Stone,
Dunham,	Mosher,	Tillson,
Fairfield,	P. Power,	Videto,
Ferguson,	R. D. Power,	Vickery,
Griffin,	Porter,	Van Husan,
H. Hall,	Pratt,	D. C. Walker,
M. Hall,	Ruehle,	White,
Hawley,	Rix,	Speaker,
Haydon,	Rowland,	41

## NAYS.

Mr. Knight,      Mr. H. L. Miller,      Mr. Ramsdell,      3

Mr. Adams, from the committee on conference on the 'bill for the appropriation of certain highway taxes, for the improvement of the state road leading from Coldwater to Centreville,' reported that the committee had agreed on the following amendments:

'Insert after the word 'Batavia,' in the eighth line of section 1, the following:

'As shall be uncollected by the overseers of highways, which shall be assessed on the tax roll by the supervisor of the township aforesaid.

The report was accepted by the House and the amendments concurred in.

## UNFINISHED BUSINESS.

The House took up the "bill to incorporate the Rochester and Royal Oak plank road company."

On motion of Mr. Pratt,

The bill was committed to a select committee, with instructions to add the following proviso to the fifteenth section:

"*Provided*, sufficient personal property belonging to said company, and liable to be taken in execution, cannot be found whereon a levy may be made."

The Speaker announced as such committee, Messrs. Pratt, D. C. Walker and Videto.

On motion of Mr. Pratt, the "bill to incorporate the Alphadelphia association," was laid on the table.

On motion of Mr. Mosher,

The "bill to amend an act entitled 'an act to incorporate the Grand Rapids bridge company,'" was laid on the table.

On motion of Mr. Stone, the "bill to establish the county of Washington," was laid on the table.

On motion of Mr. Joslin,

The vote by which the House refused to order the "joint resolution authorizing the agent of the state prison, under the direction of the inspectors thereof, to procure certain machinery to be used at said prison," to a third reading, was reconsidered, and the joint resolution was laid on the table.

The House then took up the "bill making appropriations on the Central railroad for the year 1844."

Mr. Fairfield moved to lay the bill on the table; which motion was lost, by the following vote:

## YEAS.

Mr. Adams,	Mr. Ferguson,	Mr. Pratt,
Ames,	Griffin,	Rowland,
Barnard,	H. L. Miller,	Runyan,
Baldwin,	Mosher,	Saunders,
Chester,	Murphy,	Shurtz,
Davis,	P. Power,	Snell,
Dunham,	R. D. Power,	Stone,
Fairfield,		

22

## NAYS.

Mr. Blindbury,	Mr. Leland,	Mr. Sheldon,
Delamatter,	Livermore,	Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmelee,	Vickery,
Hawley,	Porter,	Van Huse,
Haydon,	Ramsdell,	D. C. Walker,
Hebard,	Ruehle,	White,
Joslin,	Rix,	Speaker,
Knight,		

25

The Speaker called Mr. Rowland to the chair.

Mr. D. C. Walker moved to strike out of the first line of section three, the words "and unpledged," and out of the fourth line of the same section, the words "or pledges;" pending which,

The Speaker offered the following substitute for section three:

"Section 3. That, for the purpose of purchasing iron and spike, and for the payment of the transportation of the same, to iron the Central railroad from the village of Marshall to the village of Kalamazoo, the sum of seventy-five thousand dollars of the net proceeds of said Central railroad; after first paying for the iron and spike already

contracted for to iron the Southern and Central railroads to the villages of Hillsdale and Marshall, and reserving a sum sufficient to pay the interest that will be due on the first day of January, A. D., 1846, on the bonds of this state now issued, and bonds acknowledged under the act entitled "an act to liquidate the public debt, and to provide for the payment of the interest thereon, and for other purposes," approved March 8th, 1843, be and the same is hereby appropriated; and the board of internal improvement are hereby authorized to contract for such iron and spike, and for the transportation of the same, and to pledge the net proceeds aforesaid for the payment thereof."

Mr. Fairfield moved to amend the substitute by inserting after the word "bonds" in the twelfth line, the words "internal improvement warrants," pending which,

On motion of Mr. Livermore, the House adjourned.

—  
*Afternoon Session.*

The House met pursuant to adjournment, and, on calling the roll, Mr. Schoolcraft was absent on leave, and Messrs. Blindbury and Saunders absent without leave.

Mr. Rowland asked leave of absence for Mr. Blindbury for the afternoon, which was not granted.

Mr. Barnard for Mr. McLeod for the same time, which was refused.

The following message was received from the Senate :

SENATE CHAMBER, }  
February 29, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House that the Senate have concurred in the amendments made by the House, to the "bill for the encouragement of agriculture," and the "bill for the reorganization of the trustees of certain societies of the Methodist Episcopal Church," and have ordered the bills as amended to be enrolled.

Also, to return the "joint resolution in relation to tariff on railroad iron," and to inform the House that the Senate have concurred therein.

Also, to return the "bill to incorporate the Detroit and Birmingham plank road company," and to inform the House that the Senate



insist upon their amendments thereto, and respectfully ask the House for the appointment of a committee of conference thereon.

JAS. E. PLATT,

*Secretary of the Senate.*

The "joint resolution relative to the tariff on railroad iron" was ordered to be enrolled.

On motion of Mr. Pratt, a committee of conference was ordered to be appointed on the disagreement between the two houses, on the "bill to incorporate the Detroit and Birmingham plank road company."

The Speaker appointed as such committee, Messrs. Pratt, D. C. Walker and H. L. Miller.

The House then resumed the consideration of the "bill making appropriations on the Central railroad for 1844," and the question being on the amendment offered by Mr. Fairfield, to the substitute for section 3,

Mr. D. C. Walker moved that a call of the House be ordered, pending which,

Mr. Rowland asked for leave of absence for Mr. Bindbury, for the afternoon, which was refused by the following vote :

#### YEAS.

Mr. Adams,	Mr. Fairfield,	Mr. P. Power,	
Ames,	Ferguson,	R. D. Power,	
Barnard,	Griffin,	Pratt,	
Baldwin,	Knowlton,	Rowland,	
Berry,	O. Miller,	Runyan,	
Chester,	H. L. Miller,	Shurtz,	
Davis,	Mosher,	Snell,	
Dunham,	Murphy,	Stone,	24

#### NAYS.

Mr. Delamatter,	Mr. Leland,	Mr. Tillson,	
H. Hall,	Livermore,	Videto,	
M. Hall,	Parmelee,	Vickery,	
Hawley,	Porter,	Van Huse,	
Haydon,	Ramsdell,	D. C. Walker,	
Hebard,	Ruehle,	H. N. Walker,	
Joslin,	Rix,	White,	
Knight,	Sheldon,	Speaker,	25
Lamond,			

The question then recurring on the motion for a call of the House, it prevailed by the following vote :

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Knowlton,

Mr. Lamond,  
Leland,  
Livermore,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Saunders,

Mr. Sheldon,  
Tillson,  
Videto,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker, 27

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Shurtz,  
Snell,  
Stone, 23

Mr. Baldwin moved to dispense with proceedings under the call, which motion was lost by yeas and nays as follows :

## YEAS.

Mr. Adams  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Davis,  
Dunham,

Mr. Fairfield,  
Ferguson,  
Griffin,  
Knowlton,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy

Mr. P. Power,  
R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Shurtz,  
Snell,  
Stone, 24

## NAYS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Lamond,

Mr. Leland,  
Livermore,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Saunders,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Huse,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker, 25

A call of the House was then had, when Mr. Blindbury was absent without leave.

Mr. D. C. Walker moved to send the sergeant-at-arms for the absentee, which motion was lost by the following vote :

## YEAS.

Mr. Chester,	Mr. McLeod,	Mr. Tillson,
Delamatter,	Parmelee,	Videto,
M. Hall,	Porter,	Vickery,
Haydon,	Ramsdell,	Van Husean,
Hebard,	Ruehle,	D. C. Walker,
Knight,	Rix,	H. N. Walker,
Leland,	Saunders,	White,
Livermore,	Sheldon,	Speaker, 24

## NAYS.

Mr. Adams,	Mr. Griffin,	Mr. P. Power,
Ames,	H. Hall,	R. D. Power,
Barnard,	Joslin,	Pratt,
Baldwin,	Knowlton,	Rowland,
Berry,	O. Miller,	Runyan,
Davis,	H. L. Miller,	Shurtz,
Dunham,	Mosher,	Snell,
Fairfield,	Murphy,	Stone,
Ferguson,		25

On motion of Mr. Baldwin, further proceedings under the call were dispensed with.

The question then recurring on the amendment to the substitute,

On motion of Mr. Videto, Mr. Blindbury was excused from voting.

The amendment was then lost by the following vote :

## YEAS.

Mr. Adams,	Mr. Ferguson,	Mr. P. Power,
Ames,	Griffin,	R. D. Power,
Barnard,	Knowlton,	Pratt,
Baldwin,	Lamond,	Rowland,
Berry,	O. Miller,	Runyan,
Chester,	H. L. Miller,	Shurtz,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
Fairfield,		25

## NAYS.

Mr. Delamatter,	Mr. Livermore,	Mr. Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmelee,	Vickery,
Hawley,	Porter,	Van Husean,
Haydon,	Ramsdell,	D. C. Walker,
Hebard,	Ruehle,	H. N. Walker,
Joslin,	Rix,	White,
Knight,	Saunders,	Speaker,
Leland,	Sheldon,	26

Mr. H. L. Miller offered the following proviso to the substitute :

"*Provided*, The appropriation hereby made shall not in any way divert the said proceeds from the payment of the interest on the bonds as already provided by law in 'an act to liquidate the public debt and to provide for the payment of the interest thereon and for other purposes,' approved March 8, 1843, and in 'an act making appropriations on the Southern and Central railroads for the year 1843, and for other purposes,' approved February 21, 1843."

Which proviso was lost by the following vote :

## YEAS.

Mr. Adams, Ames, Barnard, Baldwin, Berry, Chester, Davis, Dunham, Fairfield,	Mr. Ferguson, Griffin, Knowlton, Lamond, O. Miller, H. L. Miller, Mosher, Murphy,	Mr. P. Power, R. D. Power, Pratt, Rowland, Runyan, Sturtz, Snell, Stone,
		25

## NAYS.

Mr. Blindbury, Delamatter, H. Hall, M. Hall, Hawley, Haydon, Hebard, Joslin, Knight,	Mr. Leland, Livermore, McLeod, Parmelee, Porter, Ramsdell, Ruehle, Rix, Saunders,	Mr. Sheldon, Tillson, Videto, Vickery, Van Husan, D. C. Walker, H. N. Walker, White, Speuker,
		27

The question then recurring on the substitute for section 3, offered by the Speaker,

Mr. Fairfield moved to strike out the words "on the first day of January, 1846," which motion was lost by yeas and nays as follows :

## YEAS.

Mr. Adams, Ames, Barnard, Baldwin, Berry, Chester, Davis, Dunham,	Mr. Fairfield, Ferguson, Griffin, Knowlton, O. Miller, H. L. Miller, Mosher, Murphy,	Mr. P. Power, R. D. Power, Pratt, Rowland, Runyan, Shurtz, Snell, Stone,
		24

## NAYS.

Mr. Blindbury, Delamatter,	Mr. Leland, Livermore,	Mr. Sheldon, Tillson,
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H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Lamond,

McLeod,  
Parmelee,  
Porter,  
Ramsdell;  
Ruehle,  
Rix,  
Saunders,

Videto,  
Vickery,  
Van Husan,  
D. C. Walker.  
H. N. Walker,  
White,  
Speaker,

28

The substitute was then adopted by the following vote:

YEAS.

Mr. Blindbury,  
Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,

Mr. Leland,  
Livermore,  
McLeod,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix.  
Saunders,

Mr. Sheldon,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

27

NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Davis,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher  
Murphy,

Mr. P. Power,  
R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Shurtz,  
Snell,  
Stone,

24

Mr. Rowland offered the following proviso: "provided that no contracts shall be let at higher estimates than those of the year one thousand eight hundred and forty-three," which was lost.

Mr. Baldwin moved to add the following sections to the bill :

Sec. That fifty thousand acres of the internal improvement lands of this state be appropriated towards the construction of the Clinton and Kalamazoo Canal, west of and commencing at Pontiac.

Sec That the auditor general be authorized to draw warrants payable in said lands on the same terms as those imposed upon other appropriations upon the Central railroad.

Pending which,

Mr. Van Husan moved the previous question, which was not demanded by yeas and nays as follows :

## YEAS.

Mr. Ames,  
Blinndbury,  
H. Hall,  
M. Hall,  
Hawley,  
Hebard,  
Joslin,  
Knight,

Mr. Leland,  
Livermore,  
McLeod,  
Parmalee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,

Mr. Saunders,  
Sheldon,  
Tillson,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker, 24

## NAYS.

Mr. Adams,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Davis,  
Delematter,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Haydon,  
Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,

Mr. P. Power,  
R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Snell,  
Stone,  
Videto,  
White, 27

The question then recurring on the amendment offered by Mr. Baldwin, it was lost by the following vote:

## YEAS.

Mr. Adams,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Davis,

Mr. Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
O. Miller,  
H. L. Miller,

Mr. Murphy,  
Parmelee,  
R. D. Power,  
Runyan,  
Stone, 17

## NAYS.

Mr. Ames,  
Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Knowlton,  
Lamond,

Mr. Leland,  
Livermore,  
McLeod,  
Mosher,  
P. Power,  
Porter,  
Pratt,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,

Mr. Saunders,  
Sheldon,  
Snell,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker, 33

Mr. Fairfield offered the following proviso, which was lost:

*Provided*, That the contracts for work under the provisions of this act, shall be let at prices six per cent lower than those of 1841.

Mr. R. D. Power moved to add the following as an additional section:

"That twenty thousand acres of internal improvement land be, and the same is hereby appropriated for the improvement of the Detroit and Grand river turnpike."

Which motion was lost, by the following vote:

## YEAS.

Mr. Adams,	Mr. Davis,	Mr. H. L. Miller,
Barnard,	Dunham,	R. D. Power,
Baldwin,	Fairfield,	Runyan,
Berry,	Ferguson,	Stone,
Blindbury,	Griffin,	H. N. Walker,
Chester,	O. Miller,	

17

## NAYS.

Mr. Ames,	Mr. Leland,	Mr. Rowland,
Delamatter,	Livermore,	Saunders,
H. Hall,	McLeod,	Sheldon,
M. Hall,	Mosher,	Snell,
Hawley,	Parmelee,	Tillson,
Haydon,	P. Power,	Videto,
Hebard,	Porter,	Vickery,
Joslin,	Pratt,	Van Husan,
Knight,	Ramsdell,	D. C. Walker,
Knowlton,	Ruehle,	Speaker,
Lamond,	Rix,	

32

Mr. Livermore moved the previous question, which was demanded by yeas and nays, as follows:

## YEAS.

Mr. Ames,	Mr. Lamond,	Mr. Saunders,
Blindbury,	Leland,	Sheldon,
Davis,	Livermore,	Tillson,
Delamatter,	McLeod,	Videto,
H. Hall,	Parmelee,	Vickery,
M. Hall,	Porter,	Van Husan,
Hawley,	Ramsdell,	D. C. Walker,
Haydon,	Ruehle,	H. N. Walker,
Hebard,	Rix,	White,
Joslin,	Rowland,	Speaker,
Knight,		

31

## NAYS.

Mr. Adams,	Mr. Ferguson,	Mr. P. Power,
Barnard,	Griffin,	R. D. Power,
Baldwin,	Knowlton,	Pratt,
Berry,	O. Miller,	Runyan,
Chester,	H. L. Miller,	Snell,
Dunham,	Mosher,	Stone,
Fairfield,	Murphy,	

20

The question being "shall the main question be now put?" it was ordered by the following vote:

## YEAS.

Mr. Ames,	Mr. Lamond,	Mr. Saunders,
Blindbury,	Leland,	Sheldon,
Delamatter,	Livermore,	Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmelee,	Vickery,
Hawley,	Porter,	Van Husan,
Haydon,	Ramsdell,	D. C. Walker,
Hebard,	Ruehle,	H. N. Walker,
Joslin,	Rix,	White,
Knight,	Rowland,	Speaker, 30

## NAYS.

Mr. Adams,	Mr. Fairfield,	Mr. Murphy,
Barnard,	Ferguson,	P. Power,
Baldwin,	Griffin,	R. D. Power,
Berry,	Knowlton,	Pratt,
Chester,	O. Miller,	Runyan,
Davis,	H. L. Miller,	Snell,
Dunham,	Mosher,	Stone, 21

The main question being on ordering the bill to be engrossed for a third reading, it prevailed, by yeas and nays as follows:

## YEAS.

Mr. Ames,	Mr. Knight,	Mr. Saunders,
Blindbury,	Lamoud,	Sheldon,
Delemater,	Leland,	Tillson,
Griffin,	Livermore,	Videto,
H. Hall,	McLeod,	Vickery,
M. Hall,	Parmelee,	Van Husan,
Hawley,	Porter,	D. C. Walker,
Haydon,	Ramsdell,	H. N. Walker,
Hebard,	Ruehle,	White,
Joslin,	Rix,	Speaker, 30

## NAYS.

Mr. Adams,	Mr. Fairfield,	Mr. P. Power,
Barnard,	Ferguson,	R. D. Power,
Baldwin,	Knowlton,	Pratt,
Berry,	O. Miller,	Rowland,
Chester,	H. L. Miller,	Runyan,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone, 21

The following message was received from the Executive:

EXECUTIVE OFFICE, }  
 Detroit, February 29, 1844. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of



the Secretary of State, an act to organize certain townships and for other purposes.'

Also, 'an act to provide for the publication of the decisions of the supreme court and court of chancery.'

Also, 'a joint resolution relative to the improvement of Grand River.

JOHN S. BARRY,

On motion of Mr. Mosher, the House adjourned.

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*Friday, March 1, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Mr. Schoolcraft was absent on leave, and Messrs. Hawley and H. N. Walker absent without leave.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Joslin, the claim of James Forsyth. Referred to the committee on claims.

By Mr. Van Huse, the petition of James H. Fellows, and 90 other citizens of the county of Washtenaw, for an alteration of the militia law. Laid on the table.

Also, of Mr. Rider, and forty-five others, of the village of Saline, for an act of incorporation of said village. Referred to the committee on banks and incorporations.

Also, the remonstrance of A. G. Crutenden, and 26 others of the village of Saline, against the incorporation of said village. Referred to the committee on banks and incorporations.

By Mr. Ramsdell, the petition of Mr. Burnett and others, citizens of Michigan village, for a change of the name of said village to Delhi; which petition was, on his motion, referred to the committee on the judiciary.

REPORTS.

Mr. Murphy, from the committee on banks and incorporations, made the following report :

The committee on banks and incorporations, to whom was referred the bill for the incorporation of the "Peninsular Mutual Fire and

Marine Insurance company," respectfully report, that they have had the same under consideration, and respectfully recommend its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed,

"A bill making appropriations on the Central railroad for 1844;" and,

"A bill to improve the navigation of the Flint river."

Also, from the same committee, reported as correctly enrolled "a joint resolution in relation to the tariff on railroad iron;" and that the same had been this day presented to the Governor for his approval.

Mr. Barnard, from the committee on education, to whom was referred the Senate "bill to incorporate the Grand Rapids academy," reported the same back without amendment, and,

The report was accepted, the committee discharged, and the bill referred to the committee of the whole

Mr. Saunders, from the select committee to whom was referred the "bill for the more effectual organization and discipline of the militia," with instructions, reported the same back with the amendments contained in the instructions, incorporated in the bill.

The report was accepted, the committee discharged, and the bill placed on the order of bills for a third reading.

Mr. Pratt, from the select committee to whom was referred the "bill to incorporate the Rochester and Royal Oak plank road company," with instructions, reported the same back with the amendments in the instructions contained, incorporated in the bill.

The report was accepted, the committee discharged, and the bill placed on the order of bills for a third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Adams, pursuant to previous notice, asked and obtained leave to introduce a "bill making appropriations for the extension of the Southern railroad," and Messrs. Adams, Stone and Pratt were appointed a committee to bring in the bill.

On motion of Mr. Ramsdell, the "bill to incorporate the Alhadel-

phia association," was referred to a select committee with instructions.

The Speaker announced as such committee, Messrs. Ramsdell, Pratt, McLeod, D. C. Walker, and Livermore.

Mr. Runyan asked and obtained leave of absence for Mr. Shurtz for the day.

On motion of Mr. Berry, Mr. Ingalls had leave to withdraw his claim.

Mr. D. C. Walker gave notice that on some future day, he should ask leave to introduce a bill supplementary to an act entitled "an act to alter, lay out, and establish certain state roads therein mentioned," approved, March 9, 1843.

Mr. Ferguson, pursuant to previous notice, asked and obtained leave to introduce a bill making appropriations of land for purposes of internal improvement, and Messrs. Ferguson, R. D. Power and H. L. Miller, appointed a committee to bring in the bill.

Mr. Griffin offered "a joint resolution authorizing the governor to receive sealed proposals for the sale of the public works of the state;" which was read twice, referred to the committee of the whole and ordered to be printed.

Mr. Snell offered "a joint resolution relative to the sale of the Southern and Central railroads;" which was read twice, referred to the committee of the whole and ordered to be printed.

Mr. White gave notice that, on to-morrow, he should ask leave to bring in a bill for the reassessment of taxes in certain townships in the county of Ottawa.

Mr. Runyan gave notice that, on to-morrow, he should ask leave to introduce a bill for the improvement of the St. Joseph river in this state.

Mr. D. C. Walker, from the committee on ways and means, to whom was referred the Senate "joint resolution providing for the removal of the seat of government," on leave, reported the same back without amendment.

The report was accepted, the committee discharged and the joint resolution referred to the committee of the whole.

Mr. Adams, from the select committee appointed for that purpose, on leave, reported "a bill making appropriations for the extension of

the Southern railroad ;" which was read twice, referred to the committee of the whole and ordered to be printed.

Mr. Pratt moved to dispense with the printing of the bill ; which motion was lost.

Mr. Baldwin gave notice that, on some future day, he should ask leave to introduce a bill making appropriations on the Clinton and Kalamazoo canal.

### THIRD READING OF BILLS.

The "bill to incorporate the Rochester and Royal Oak plank road company," was read the third time and passed, by the following vote:

#### YEAS.

Mr. Adams	Mr. Hawley,	Mr. Porter,
Ames,	Haydon,	Pratt,
Barnard,	Hebard,	Ruehle,
Baldwin,	Joslin,	Rix
Berry,	Knowlton,	Runyan,
Blindbury,	Lamond,	Saunders,
Chester,	Leland,	Sheldon,
Davis,	Livermore,	Snell,
Delamatter,	McLeod,	Stone,
Dunham,	O. Miller,	Tillson,
Fairfield,	H. L. Miller,	Videto,
Ferguson,	Mosher,	Van Husan,
Griffin,	Murphy	D. C. Walker,
H. Hall,	P. Power,	White,
M. Hall,	R. D. Power,	Speaker, 45.

#### NAYS.

Mr. Knight,	Mr. Ramsdell,	Mr. Vickery,
Parmelee,		4

The "bill making appropriations on the Central railroad for 1844," was read the third time and passed, by yeas and nays, as follows:

#### YEAS.

Mr. Ames,	Mr. Knight,	Mr. Saunders,
Blindbury,	Lamond,	Sheldon,
Delamatter,	Leland,	Tillson,
Griffin,	Livermore,	Videto,
H. Hall,	McLeod,	Vickery,
M. Hall,	Parmelee,	Van Husan,
Hawley,	Porter,	D. C. Walker,
Haydon,	Ramsdell,	H. N. Walker,
Hebard,	Ruehle,	White,
Joslin,	Rix,	Speaker, 30

#### NAYS.

Mr. Adams,	Mr. Fairfield,	Mr. P. Power,
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Barnard,	Ferguson,	R. D. Power,
Baldwin,	Knowlton,	Pratt,
Berry,	O. Miller,	Rowland,
Chester,	H. L. Miller,	Runyan,
Davis,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
		21

The "bill to improve the navigation of the Flint river," was read the third time and passed by the following vote :

YEAS.

Mr. Ames,	Mr. Lamond,	Mr. Saunders,
Barnard,	Leland,	Tillson,
Delamatter,	Livermore,	Videto,
Ferguson,	McLeod,	Vickery,
Griffin,	H. L. Miller,	Van Husan,
H. Hall,	R. D. Power,	D. C. Walker,
M. Hall,	Ramsdell,	H. N. Walker,
Haydon,	Reuhle,	White,
Hebard,	Rix,	Speaker,
Joslin,		28

NAYS.

Mr. Adams,	Mr. O. Miller,	Mr. Pratt,
Chester,	Mosher,	Rowland,
Dunham,	Murphy,	Runyan,
Fairfield,	Parmelee,	Sheldon,
Knight,	P. Power,	Snell,
Knowlton,	Porter,	Stone,
		18

The "bill for the better organization and discipline of the militia" was read the third time and passed by the following vote :

YEAS.

Mr. Chester,	Mr. Mosher,	Mr. Saunders,
Delamatter,	Parmelee,	Sheldon,
Ferguson,	P. Power,	Snell,
Griffin,	R. D. Power,	Stone,
H. Hall,	Porter,	Tillson,
Haydon,	Pratt,	Videto,
Joslin,	Ramsdell,	Vickery,
Knowlton,	Reuhle,	Van Husan,
Lamond,	Rix,	D. C. Walker,
Leland,	Rowland,	White,
Livermore,	Runyan,	32

NAYS.

Mr. Ames,	Mr. Hebard,	Mr. H. L. Miller,
Barnard,	Knight,	Murphy,
Dunham,	McLeod,	Speaker,
M. Hall,		10

## UNFINISHED BUSINESS.

The House took up the "joint resolution authorizing the agent of the state prison, under the direction of the inspectors thereof, to procure certain machinery to be used in said prison."

Mr. Livermore asked and obtained the unanimous consent of the House to offer the following amendment: Insert after the word "prison" at the end of the twelfth line, the words "in amount not to exceed eight hundred dollars," which amendment prevailed.

The joint resolution as amended was then adopted.

The "bill to establish the county of Washington" being before the House for consideration,

On motion of Mr. Dunham, a call of the House was had, when Messrs. Baldwin, Fairfield, Parmelee and H. N. Walker were absent without leave.

On motion of Mr. Dunham, all further proceedings under the call were dispensed with.

The question then being on ordering the bill to be engrossed for a third reading, it was decided in the negative.

Mr. Joslin asked and obtained leave of absence for Mr. H. N. Walker for the day.

The House then resolved itself into committee of the whole, on the the general order, Mr. Livermore in the chair, and after spending some time thereon the committee rose, and by their chairman reported that they had had under consideration a "bill to authorize James Miller to build a dam across the Clinton river in the county of Macomb," a "bill to amend an act entitled an act to require an annual settlement with the state of certain state officers and agents, and for other purposes, approved February 4th, 1842," a "bill to authorize the commissioners of highways of the township of Marshall to order and direct where a portion of certain highway labor shall be laid out," a "joint resolution relative to the payment of the contracts for state printing and binding," and a "bill to authorize the minor heirs of the late Jared Higby, deceased, to release their claim to a certain tract of land," which they reported back without amendment, and a "bill to incorporate the Oak Hill cemetery company," and a "bill to establish a board of county auditors for Wayne county and for other purposes," which they reported back with amendments, in which the concurrence of the House was asked.

On motion of Mr. Joslin the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Schoolcraft, Shurtz and H. N. Walker were absent on leave, and Messrs. Adams, Barnard, Baldwin, Delamatter, M. Hall, Knight, Lamond, Livermore, MacLeod, Parmelee, P. Power, R. D. Power, Ramsdell, Saunders, Sheldon and Videto, were absent without leave.

The following message was received from the Executive :

EXECUTIVE OFFICE, }  
*Detroit, March 1, 1844.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State a joint resolution in relation to the tariff on railroad iron.

JOHN S. BARRY.

The following message was received from the Senate :

SENATE CHAMBER, }  
*February 29, 1844.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a 'bill to attach certain townships to the county of Lapeer, as a part of the territory and jurisdiction thereof,' which the Senate have passed and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The 'bill to attach certain townships to the county of Lapeer as a part of the territory and jurisdiction thereof, was read twice, when

Mr. Porter moved to refer the bill to the committee of the whole, which motion was lost.

The bill was then referred to the committee on the organization of towns and counties.

The following communication was received from the Senate:

SENATE CHAMBER, }  
*February 29, 1844.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a 'bill for the relief of the university of Michigan' which the Senate have passed, and a 'joint resolution relative to the claim of Ebenezer Westbrook,'

which the Senate have adopted, and to respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The 'bill for the relief of the university of Michigan,' was read twice and referred to the committee on public lands.

The joint resolution relative to the claim of Ebenezer Westbrook, was read twice and referred to the committee on claims.

The Speaker offered a 'joint resolution instructing our Senators, and requesting our Representatives in congress, relative to the admission of Texas into the Union,' which was read twice, referred to the committee on federal relations and ordered printed.

The House then took up the bill to establish a board of county auditors for Wayne county, and for other purposes," and the first amendment made in committee of the whole was concurred in, and the remaining amendments non-concurred in.

On motion of Mr. Rowland the 9th section was amended by striking out all after the word "judgment" in the second line, to the word "and" in the third line.

On motion of Mr. Joslin, the words 'or of the board of supervisors of any county of this State,' were stricken out of the same section.

On motion of Mr. Blindbury, the word 'fifteen' was stricken out of the second line of section 3, and 'twenty' inserted.

Mr. Ramsdell moved to strike out all after the enacting clause of the bill, which motion was lost.

The bill was then ordered to a third reading.

Mr. Haydon asked and obtained leave of absence for Mr. Vickery for the forenoon.

The 'Bill to authorize James Miller to build a dam across the Clinton river in the county of Macomb,' was ordered to be engrossed for a third reading.

The 'Bill to amend an act entitled 'an act to require an annual settlement with the State, of certain state officers and agents, and for other puposes,' approved February 4, 1842,' the 'bill to authorize the minor heirs of the late Jared Higbee, deceased, to release their claim to a certain tract of land,' the 'bill to authorize the commissioners of highways of the township of Marshall to order and direct where a portion of certain highway labor shall be laid out,' and the 'joint re-



resolution relative to the payment of the contracts for state printing and binding,' were severally ordered to a third reading.

The amendment to the "bill to incorporate the Oak Hill Cemetery company" was non-concurred in, and,

On motion of Mr. M. Hall, the bill was laid on the table.

Mr. Baldwin, from the committee on the organization of towns and counties, to whom was referred the Senate "bill to attach the county of Huron to the county of St. Clair, for judicial and other purposes," on leave, reported the same back without amendment.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

The House then went into committee of the whole on the general order, Mr. H. L. Miller in the chair, and after some time spent thereon, the committee rose, and by their Chairman reported that they had had under consideration, a 'joint resolution authorizing the commissioner of the land office to issue to Samuel Morgan a certificate for certain land,' a 'bill to improve the navigation of the Paw Paw river,' a 'bill to incorporate the Detroit and Port Huron plank road company,' a 'joint resolution relative to the claims of C. W. Chapel and John F. Hamlin,' a 'bill to provide for the construction and improvement of the road running from Allegan, in the county of Allegan, to Grandville, in the county of Kent,' with amendments, in which the concurrence of the House was asked; and a 'joint resolution authorizing the commissioner of the land office to issue to John Parkinson a certificate for certain lands,' a 'bill to amend section six, chapter two, title seven, part second of the revised statutes,' a "bill to amend an act entitled 'an act to abolish the office of county commissioner, and for other purposes,' approved February 10, 1842," a 'bill for the relief of Lucy Stevens,' a 'bill supplementary to the act providing for the more effectual organization and discipline of the militia,' and a "bill to amend an act entitled 'an act to amend an act, to abolish imprisonment for debt, and to punish fraudulent debtors,'" which they reported back without amendment.

The amendments to the 'joint resolution relative to the claims of C. W. Chapel and John F. Hamlin,' were concurred in and,

On motion of Mr. Joslin, it was laid on the table.

The "bill supplementary to the act providing for the more effectual organization and discipline of the militia," the "bill for the relief

of Lucy Stevens," the "bill to amend an act entitled an act to abolish the office of county commissioner, and for other purposes, approved February 10, 1842," and the "bill to amend section six, chapter two, title seven, part second, of the revised statutes," were severally ordered to be engrossed for a third reading.

The amendments to the "joint resolution authorizing the commissioner of the land office to issue to Samuel Morgan a certificate for certain land," were concurred in, and the joint resolution ordered to be engrossed for a third reading.

The "joint resolution authorizing the commissioner of the land office to issue to John Parkinson a certificate for certain lands," was ordered to be engrossed for a third reading.

On motion of Mr. Joslin, the "bill to amend an act entitled an act to amend an act to abolish imprisonment for debt, and to punish fraudulent debtors," was laid on the table.

The amendments to the "bill to provide for the construction and improvement of the road running from Allegan, in the county of Allegan, to Grandville, in the county of Kent," were concurred in, and the bill ordered to be engrossed for a third reading.

The amendments to the "bill to improve the navigation of the Paw Paw river," were concurred in, and

On motion of Mr. Pratt, the bill was laid on the table.

The amendments to the "bill to incorporate the Detroit and Port Huron plank road company" were concurred in.

On motion of Mr. Fairfield, the following section was added to the bill:

'Section 16, The stockholders of said company shall be individually liable for the debts and liabilities thereof, and may be sued either jointly or severally, for the collection of the same, and the judgment recovered in such suit shall have the same force and effect as though recovered against said stockholder or stockholders, upon their own individual, joint, or several liabilities, and said liabilities of the stockholders shall continue and be in full force for the term of one year from the time they shall cease to be such stockholders; and any suit commenced within the said term of one year may be prosecuted to final judgment at any time thereafter, according to the rules of the court in which such suit is so commenced.'

On motion of Mr. D. C. Walker, the bill was laid on the table.

The following communication was received from the Senate :

SENATE CHAMBER, }  
March 1, 1844. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed by the Senate to inform the House that Senators Wilson, Shearer and Gray have been appointed a committee of conference on the part of the Senate, on the disagreement between the two Houses on the "bill to incorporate the Detroit and Birmingham plank road company."

Also to transmit a "bill to amend the several acts to organize the militia of the state," which the Senate have passed, and a "joint resolution relative to the return of money to Jacob Beeson," which the Senate have adopted, and respectfully ask the concurrence of the the House therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

The "bill to amend the several acts to organize the militia of this state," was read twice and referred to the committee on the militia.

The "joint resolution relative the return of money to Jacob Beeson" was read twice and referred to the committee on claims.

The Speaker announced the reception of the following message from the Senate :

SENATE CHAMBER, }  
Friday, March 1, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit "a bill to amend an act granting to certain debtors to the state the privilege of paying the state in state bonds, &c. approved February 11, 1842," which the Senate have passed and respectfully ask the concurrence of the House therein.

Also, to return the "bill to amend an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick," and "a bill to discontinue a portion of a certain state road," and to respectfully inform the House that the Senate have concurred therein.

Also, to return the "bill to amend an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1843,"

which the Senate have passed with sundry amendments, in which they respectfully ask the concurrence of the House.

JAS. E. PLATT,  
*Secretary of Senate.*

The "bill to amend an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick," and

The "bill to discontinue a portion of a certain state road," were ordered to be enrolled.

The "bill to amend an act granting to certain debtors of the state the privilege of paying the state in state bonds," approved February 11, 1842, was read twice and referred the committee on internal improvement.

On motion of Mr. McLeod the House adjourned.

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*Saturday, March 2, 1844.*

The House met pursuant to adjournment and on calling the roll Mr. Schoolcraft was absent on leave, and Messrs. Davis, Parmelee, and Stone were absent without leave.

Prayer by the Rev. Mr. Pilcher.

The journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Livermore, the claim of Abel F. Fitch. Referred to the committee on claims.

By Mr. Leland, two petitions of citizens of Washtenaw county for changing the license law. Laid on the table.

Mr. White asked and obtained leave of absence for Mr. Parmelee till Monday.

Mr. Murphy, for Mr. Stone, for the forenoon.

#### REPORTS.

Mr. Shurtz from the committee on roads and bridges reported a "bill for laying out and establishing a state road and for other purposes," which was read twice, referred to the committee of the whole and ordered to be printed.

Mr. Pratt from the committee on enrolment and engrossment reported as correctly enrolled "an act to amend an act to provide for

the completion and preservation of that portion of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick."

Also an "act to discontinue a portion of a certain state road," and that the same was this day presented to the governor for his approval.

Also from the same committee reported as correctly engrossed.

A "bill supplementary to the act providing for the more effectual organization and discipline of the militia;"

A "bill for the relief of Lucy Stevens;"

A "bill to amend an act entitled an act to abolish the office of county commissioner and for other purposes, approved March 10, 1842;"

A "bill to amend section six, chapter 2, title 7, part 2d of the revised statutes;"

A "bill to provide for the construction of a certain state road;"

A "bill to authorize James Miller to build a dam across the Clinton river in the county of Macomb;"

A "joint resolution authorizing the commissioner of the land office to issue to Samuel Morgan a certificate for certain land," and

A "joint resolution authorizing the commissioner of the land office to issue to John Parkinson a certificate for certain land."

Mr. Ramsdell, from the select committee, to whom was referred the "bill to incorporate the Alphadelphia association" with instructions, reported the same back with the amendments in the instructions contained, incorporated in the bill.

The report was accepted, the committee discharged, and the bill placed on the order of bills for a third reading.

On motion of Mr. Ramsdell, the bill as amended, was ordered to be printed.

Mr. Ramsdell, from the committee on the judiciary, reported a "bill to change the name of Michigan village," which was read twice, and referred to the committee of the whole.

Mr. H. N. Walker, from the committee on public lands, to whom was referred the Senate "bill for the relief of the university of Michigan," reported the same back without amendment and recommended its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Murphy, from the committee on banks and incorporations, made the following report:

The committee on banks and incorporations, to whom was referred the petition of sundry citizens of Saline for the incorporation of said village, respectfully report, that they have had the same under consideration and bring in the accompanying bill and respectfully recommend its passage.

The report was accepted, the committee discharged, and the "bill to incorporate the village of Saline," was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Ferguson, from the select committee appointed for that purpose, reported a 'bill making appropriations for the year 1844, on the Clinton and Kalamazoo canal, on the Shiawassee river, and on the Saginaw turnpike,' which was read twice, referred to the committee of the whole, and ordered to be printed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the reassessment of certain taxes in Ottawa county, and Messrs. White, Leland and Runyan, were appointed a committee to bring in the bill.

Mr. Runyan, pursuant to previous notice, asked and obtained leave to introduce a bill to improve the navigation of the St. Joseph river, and Messrs. Runyan, Dunham and Snell, were appointed a committee to bring in the bill.

On motion of Mr. Knowlton, the vote was reconsidered by which the House refused to order the "bill to establish the county of Washington" to be engrossed for a third reading.

Mr. D. C. Walker, pursuant to previous notice, asked and obtained leave to introduce a "bill supplementary to an act entitled 'an act to alter, lay out, and establish certain roads therein mentioned,' approved March 9, 1843," and Messrs D. C. Walker, Rix and Chester were appointed a committee to bring in the bill.

Mr. Baldwin, pursuant to previous notice, asked and obtained leave to introduce a bill making appropriations on the Clinton and Kalamazoo canal, and Messrs. Baldwin, Murphy and Delamatter were appointed a committee to bring in the bill.

Mr. D. C. Walker, from the select committee appointed for that

purpose, on leave, reported a "bill supplementary to an act entitled 'an act to alter, lay out, and establish certain state roads therein mentioned,' approved March 9, 1843," which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Runyan, from the select committee appointed for that purpose, on leave, reported a "bill to provide for the improvement of the St. Joseph river," which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. White, from the select committee appointed for that purpose, on leave, reported a "bill in relation to certain taxes in the townships of Norton and Ottawa, in the county of Ottawa, for the year 1843," which was read twice, referred to the committee of the whole, and ordered to be printed.

#### THIRD READING OF BILLS.

The "bill supplementary to the act providing for the more effectual organization and discipline of the militia;" the "bill for the relief of Lucy Stevens;" and the "bill to amend an act entitled 'an act to abolish the office of county commissioner, and for other purposes,' approved February 10, 1842," were severally read the third time and passed.

The 'bill to amend section six, chapter two, title seven, part second of the revised statutes,' was read the third time and passed by the following vote:

#### YEAS.

Mr. Adams,  
Baldwin,  
Chester,  
Fairfield,  
H. Hall,  
Haydon,  
Joslin,  
Knowlton,

Mr. Lamond,  
McLeod,  
Murphy,  
P. Power,  
Pratt,  
Ruehle,  
Rowland,  
Runyan,

Mr. Saunders,  
Sheldon,  
Shurtz,  
Snell,  
Tillson,  
Van Huse,  
D. C. Walker,  
H. N. Walker, 24

#### NAYS.

Mr. Ames,  
Barnard,  
Blindbury,  
Delamater,  
Dunham,  
Ferguson,  
Griffin,

Mr. M. Hall,  
Hawley,  
Knight,  
Leland,  
Livermore,  
O. Miller,  
H. L. Miller,

Mr. Mosher,  
R. D. Power,  
Porter,  
Ramsdell,  
Rix,  
Videto,  
Speaker, 21

The question being on the title of the bill,

Mr. H. L. Miller moved to substitute the following:

'A bill to encourage applications for divorce, and to induce the removal into this state of disaffected husbands and wives.'

Which motion was lost by the following vote:

## YEAS.

Mr. Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Delamatter,

Mr. Dunham,  
Hawley,  
Knight,  
H. L. Miller,  
Mosher,

Mr. Porter,  
Ramsdell,  
Videto,  
Speaker,

14

## NAYS.

Mr. Adams,  
Berry,  
Chester,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Haydon,  
Joslin,  
Knowlton,

Mr. Lamond,  
Leland,  
Livermore,  
McLeod,  
O. Miller,  
Murphy,  
P. Power,  
R. D. Power,  
Pratt,  
Ruehle,  
Rix,

Mr. Rowland,  
Runyan,  
Saunders,  
Sheldon,  
Shurtz,  
Snell,  
Tillson,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White,

33

The title was then agreed to.

The 'joint resolution authorizing the commissioner of the land office to issue to Samuel Morgan a certificate for certain land,' was read a third time and passed by the following vote:

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Berry,  
Chester,  
Delamatter,  
Dunham,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,

Mr. Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knowlton,  
Lamond,  
Leland,  
McLeod,  
O. Miller,  
Mosher,  
Murphy,

Mr. R. D. Power,  
Porter,  
Pratt,  
Rix,  
Rowland,  
Runyan,  
Sturtz,  
Snell,  
D. C. Walker,  
White,  
Speaker,

34

## NAYS.

Mr. Baldwin,  
Blindbury,  
Knight,  
H. L. Miller,

Mr. P. Power,  
Ramsdell,  
Ruehle,  
Saunders,

Mr. Sheldon,  
Videto,  
Van Husean,  
H. N. Walker,

12



The 'bill to authorize James Miller to build a dam across the Clinton river in the county of Macomb;'

The 'joint resolution authorizing the commissioner of the land office to issue to John Parkinson a certificate for certain lands;'

The 'bill to amend an act to require an annual settlement with the state of certain officers and agents, and for other purposes, approved February 4, 1812;'

The 'bill to provide for the construction of a certain state road.'

The 'bill to establish a board of county auditors for Wayne county, and for other purposes;'

The 'joint resolution relative to the payment of contracts for state printing and binding;'

The 'bill to authorize the commissioners of highways of the township of Marshall to order and direct where a portion of certain highway labor shall be laid out;'

The 'bill to authorize the minor heirs of the late Jared Higbee, deceased, to release their claim to a certain tract of land,' were severally read the third time and passed.

#### UNFINISHED BUSINESS.

On motion of Mr. Dunham, the "bill to amend the act providing for the assessment and collection of taxes," &c., together with the Senate amendments thereto was laid upon the table, and the bill and amendments ordered to be printed.

On motion of Mr. Dunham, the 'bill to establish the county of Washington,' was laid on the table.

The House then took up the 'bill to incorporate the Oak Hill Cemetery company,' and,

On motion of Mr. H. L. Miller, it was indefinitely postponed.

The 'joint resolution relative to the claims of C. W. Chapel, and John F. Hamlin,' being under consideration,

Mr. Ruehle moved an adjournment, which was lost.

The joint resolution was then ordered to a third reading.

On motion of Mr. Baldwin, the House adjourned.

#### *Afternoon Session.*

The House met pursuant to adjournment and on calling the roll Messrs. Parmelee and Schoolcraft was absent on leave, and Messrs.

Ames, Barnard, Davis, Fairfield, Knowlton, R. D. Power and Ramsdell were absent without leave.

Mr. Porter asked and obtained leave of absence for Mr. Ramsdell, till Monday.

Mr. Pratt, for Mr. Davis for the day.

The following communication was received from the Senate :

SENATE CHAMBER, }  
March 2, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House, that the Senate have concurred in the report of the committee of conference on the "bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville."

Also to transmit a "bill to amend chapter 5, title 4, part 2 of the revised statutes," and a "bill to incorporate the Troy and Rochester railroad company," which the Senate have passed, and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The 'bill for the appropriation of certain highway taxes for the improvement of the state road from Coldwater to Centreville,' was ordered to be enrolled.

The 'bill to incorporate the Troy and Rochester railroad company,' was read twice and referred to the committee on banks and incorporations.

The 'bill to amend chapter five, title four, part second of the revised statutes,' was read twice and referred to the committee on the judiciary.

The House then took up the 'bill to incorporate the Detroit and Port Huron plank road company,' and the question being on the amendment offered yesterday by Mr. Fairfield, it prevailed.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Pratt, the 'bill to improve the navigation of the Paw Paw river,' was laid on the table.

The "joint resolution relative to the claim of Albert Elliott and John M. Van Aiken," was ordered to a third reading.

The House then went into committee of the whole on the general

order, Mr. Vickery in the chair, and after spending some time thereon, the committee rose, and by their Chairman reported that they had had under consideration a 'bill to amend an act in relation to the fire departments and firemen, of incorporated cities and villages,' and a 'bill to define and protect the rights of married women,' which they reported back with amendments, in which the concurrence of the House was asked, and a 'bill to provide for the more effectual collection of debts, and to amend an act entitled 'an act to prescribe the powers and duties of justices of the peace in civil proceedings,' approved April 9, 1841," on which they reported they had made some progress, and asked leave to sit again thereon. Leave was granted.

The amendments to the "bill to define and protect the rights of married women," were concurred in.

On motion of Mr. Joslin, the bill was committed to a select committee of five.

The Speaker appointed as such committee, Messrs. Joslin, McLeod, D. C. Walker, H. L. Miller and Pratt.

The amendment to the 'bill to amend an act in relation to the fire departments and firemen of incorporated cities and villages,' was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Stone offered a protest, signed by twenty one Representatives, against the acts of a majority of the House in passing the 'bill making appropriations on the Central railroad for 1844,' which was read, and ordered to be entered on the journal.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
 Detroit, March 2, 1844. }

*To the House of Representatives:*

I have this day approved, signed and repositied in the office of the secretary of state, "an act to amend 'an act to provide for the completion and preservation of that portion of the Clinton and Kalamazoo canal between the villages of Rochester and Frederick.' "

Also, "an act to discontinue a portion of a certain state road."

JOHN S. BARRY,

The Speaker announced the reception of the following communication from the Senate:

SENATE CHAMBER,  
March 2, 1844. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to return the 'bill to provide for laying out a certain state road, a 'bill relative to the streets of recorded but unincorporated village plats,' a 'bill making appropriations on the central railroad,' and a 'joint resolution appointing Z. Curtis commissioner to lay out a state road' and to inform the House that Senate have concurred therein.

Also, to transmit a 'joint resolution relative to a certain road,' and a 'joint resolution relative to a certain sum of money stolen from the treasurer's office of the county of Shiawassee,' which the Senate have adopted, and respectfully ask the concurrence of the House therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

The 'bill to provide for laying out a certain state road;'

The 'bill relative to the streets of recorded, but unincorporated village plats;'

The bill making appropriations on the central railroad, and

The joint resolution appointing Z. Curtis commissioner to lay out a certain state road,' were ordered to be enrolled.

Mr. D. C. Walker moved that the paper offered by Mr. Stone be returned to him, and that it be not entered on the journals, on the ground that it was not a protest within the meaning of the constitution.

The Speaker decided that the motion was out of order.

Mr. D. C. Walker appealed from the decision of the chair.

Mr. Livermore moved an adjournment, which was lost by the following vote:

YEAS.

Mr. Adams,  
Berry,  
Chester,  
Fairfield,

Mr. Ferguson,  
Hall,  
Livermore,  
O. Miller,

Mr. Murphy,  
Shurtz,  
Speaker;

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NAYS.

Mr. Ames,  
Barnard,  
Baldwin,  
Delamatter,  
Dunham,

Mr. Knowlton,  
Leland,  
McLeod,  
H. L. Miller,  
Mosher,

Mr. Runyan,  
Saunders,  
Sheldon,  
Snell,  
Stone,

Griffin,	P. Power,	Tillson,
H. Hall,	R. D. Power,	Videto,
Hawley,	Porter,	Vickery,
Haydon,	Pratt,	Van Husan,
Hebard,	Ruehle,	D. C. Walker,
Joslin,	Rix,	H. N. Walker,
Knight,	Rowland,	White,
		36

The question then recurring on the appeal.

On motion of Mr. Porter, a call of the House was had,

When Messrs. Blindbury and Lamond were absent without leave.

Mr. Murphy moved to dispense with all further proceedings under the call, which motion was lost.

Mr. Berry moved an adjournment, which was lost by yeas and nays as follows:

YEAS.

Mr. Adams,	Mr. Knowlton,	Mr. P. Power,
Ames,	Fairfield,	R. D. Power,
Barnard,	Ferguson,	Pratt,
Baldwin,	O Miller,	Runyan,
Berry,	H. L. Miller,	Shurtz,
Chester,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
		21

NAYS.

Mr. Delamatter,	Mr. Leland,	Mr. Tillson,
Griffin,	Livermore,	Videto,
H. Hall,	McLeod,	Vickery,
M. Hall,	Porter,	Van Husan,
Hawley,	Ruehle,	D. C. Walker,
Haydon,	Rix,	H. N. Walker,
Hebard,	Rowland,	White,
Joslin,	Saunders,	Speaker,
Knight,	Sheldon,	
		26

Mr. H. L. Miller asked for leave of absence for Mr. Lamond till Monday, which was refused.

Mr. Muc Lord moved that the sergeant-at-arms be sent for the absentees, which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Leland,	Mr. Shurtz,
Delamatter,	Livermore,	Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Mosher,	Vickery,
Hawley,	P. Power,	Van Husan,
Haydon,	Porter,	D. C. Walker,
Hebard,	Ruehle,	H. N. Walker,

Joslin,  
Knight,

Saunders,  
Sheldon.

White,  
Speaker, 27

## NAYS.

Mr. Adams,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Knowlton,  
O. Miller,  
H. L. Miller,  
Murphy,  
R. D. Power,

Mr. Pratt,  
Rix,  
Rowland,  
Runyan,  
Snell,  
Stone, 20

Mr. H. L. Miller moved an adjournment which was lost by the following vote :

## YEAS.

Mr. Adams,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Knowlton,  
O. Miller,  
H. L. Miller,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Pratt,  
Runyan,  
Shurtz,  
Snell,  
Stone, 20

## NAYS.

Mr. Ames,  
Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,

Mr. Leland,  
Livermore,  
McLeod,  
Mosher  
Porter,  
Ruehle,  
Rix.  
Rowland,  
Saunders,

Mr. Sheldon,  
Tillson,  
Videto,  
Vickery,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker, 27

On motion of Mr. Barnard all further proceedings under the call were dispensed with by the following vote :

## YEAS.

Mr. Ames,  
Barnard,  
Baldwin,  
Berry,  
Fairfield,  
Ferguson,  
Griffin,  
H. Hall,  
Joslin,  
Knowlton,

Mr. Livermore,  
O. Miller,  
H. L. Miller,  
Murphy,  
P. Power,  
R. D. Power,  
Rix,  
Rowland,  
Runyan,

Mr. Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
D. C. Walker,  
Speaker, 28

## NAYS.

Mr. Adams,

Mr. Hebard,

Mr. Pratt,

Chester,  
Delamatter,  
Dunham,  
M. Hall,  
Hawley,  
Haydon,

Knight,  
Leland,  
McLeod,  
Mosher,  
Porter,

Ruehle,  
Saunders,  
Van Husean,  
D. C. Walker,  
White,

19

Mr. Livermore moved the previous question, which was demanded by the following vote :

YEAS.

Mr. Barnard,  
Delamatter,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,

Mr. Knight,  
Leland,  
Livermore,  
McLeod,  
Porter,  
Pratt,  
Ruehle,  
Rix,  
Rowland,

Mr. Saunders,  
Sheldon,  
Shurtz,  
Tillson,  
Vickery,  
Van Husean,  
D. C. Walker,  
H. N. Walker,

26

NAYS.

Mr. Adams,  
Ames,  
Baldwin,  
Berry,  
Chester,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Knowlton,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,

Mr. R. D. Power,  
Runyan,  
Snell,  
Stone,  
Videto,  
White,  
Speaker,

21

Mr. Pratt moved a reconsideration of the vote by which the previous question was demanded.

The Speaker decided the motion to be out of order.

Mr. Pratt appealed from the decision of the chair, when that decision was sustained by the following vote :

YEAS.

Mr. Ames,  
Barnard,  
Chester,  
Delamatter,  
Dunham,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Hebard,  
Joslin,  
Haydon,

Mr. Knight,  
Lamond,  
Leland,  
Livermore,  
McLeod,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
Porter,  
Ruehle,  
Rix,

Mr. Rowland,  
Saunders,  
Sheldon,  
Shurtz,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
White.

36

## NAYS.

Mr. Adams,  
Baldwin,  
Berry,  
Fairfield,

Mr. Knowlton,  
P. Power,  
R. D. Power,

Mr. Pratt,  
Runyan,  
Snell.

10

Mr. Fairfield moved an adjournment which was lost by yeas and nays as follows :

## YEAS.

Mr. Adams  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Knowlton,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy  
P. Power,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Shurtz  
Snell,  
Stone,

21

## NAYS.

Mr. Ames,  
Delamatter,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,

Mr. Knight,  
Lamond,  
Leland,  
Livermore,  
McLeod,  
Porter,  
Ruehle,  
Rix  
Saunders,

Mr. Sheldon,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,

26

The question then being "shall the main question be now put?" it was ordered by the following vote :

## YEAS.

Mr. Ames,  
Barnard,  
Baldwin,  
Chester,  
Delamatter,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Hebard,  
Joslin,  
Knight,

Mr. Knowlton,  
Lamond,  
Leland,  
Livermore,  
M. Leod,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,  
R. D. Power,  
Porter,  
Ruehle,

Mr. Rix,  
Rowland,  
Runyan,  
Saunders,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker,

30

## NAYS.

Mr. Adams,  
Berry,  
Dunham,

Mr. Fairfield,  
Pratt,

Mr. Videto,  
White,

7



Mr. Fairfield moved an adjournment which was lost by yeas and nays as follows :

YEAS.

Mr. Adams,	Mr. Griffin,	Mr. R. D. Power,
Barnard,	Knowlton,	Pratt,
Baldwin,	O. Miller,	Rowland,
Berry,	H. L. Miller,	Runyan,
Chester,	Mosher,	Shurtz,
Dunham,	Murphy,	Snell,
Fairfield,	P. Power,	Stone,
Ferguson,		

21

NAYS.

Mr. Ames,	Mr. Lamond,	Mr. Tillson,
Delamatter,	Leland,	Videto,
H. Hall,	Livermore,	Vickery,
M. Hall,	McLeod,	Van Husan,
Hawley,	Porter,	D. C. Walker,
Haydon,	Ruehle,	H. N. Walker,
Hebard,	Rix,	White,
Joslin,	Saunders,	Speaker,
Knight,	Sheldon,	

26

The question then recurring on the appeal from the decision of the chair, the decision of the chair was reversed by the following vote :

YEAS.

Mr. Adams,	Mr. Griffin,	Mr. R. D. Power,
Barnard,	Knowlton,	Pratt,
Baldwin,	O. Miller,	Runyan,
Berry,	H. L. Miller,	Shurtz,
Chester,	Murphy,	Snell,
Fairfield,	P. Power,	Stone,
Ferguson,		

19

NAYS.

Mr. Ames,	Mr. Leland,	Mr. Sheldon,
Delamatter,	Livermore,	Tillson,
Dunham,	McLeod,	Videto,
H. Hall,	Mosher,	Vickery,
M. Hall,	Porter,	Van Husan,
Hawley,	Ruehle,	D. C. Walker,
Haydon,	Rix,	H. N. Walker,
Hebard,	Rowland,	White,
Joslin,	Saunders,	Speaker,
Knight,		

28

The question then being on the motion to return the paper,

Mr. Joslin moved the previous question, which was demanded.

And the question being "shall the main question be now put ?" it was ordered by the following vote :

## YEAS.

Mr. Ames,  
Delamatter,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,

Mr. Lamond,  
Leland,  
Livermore,  
McLeod,  
Porter,  
Ruehle,  
Rix,  
Saunders,  
Sheldon,

Mr. Shurtz,  
Tillson,  
Videto,  
Vickery,  
Van Hulan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

28

## NAYS.

Mr. Adams,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Dunham,

Mr. Fairfield,  
Knowlton,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,

Mr. P. Power,  
R. D. Power,  
Pratt,  
Runyan,  
Snell,  
Stone,

18

The main question being on the motion to return the paper, was then decided in the affirmative by the following vote:

## YEAS.

Mr. Delamatter,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,

Mr. Lamond,  
Leland,  
Livermore,  
McLeod,  
Porter,  
Ruehle,  
Rix,  
Saunders,

Mr. Sheldon,  
Tillson,  
Videto,  
Vickery,  
Van Hulan,  
D. C. Walker,  
H. N. Walker,  
White,

25

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Berry,  
Chester,  
Dunham,  
Fairfield,

Mr. Ferguson,  
Knowlton,  
O. Miller,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,  
R. D. Power,

Mr. Pratt,  
Rowland,  
Runyan,  
Shurtz,  
Snell,  
Stone,  
Speaker.

23

On motion of Mr. McLeod, the House adjourned.

*Monday, March 4, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry, Parmelee, Ramsdell and Schoolcraft, were absent on leave, and Messrs. Blindbury, Fairfield, Livermore, McLeod, Murphy and Saunders were absent without leave.

Prayer by the Rev. Mr. Picher.

The journal of Saturday was read and approved.

Mr. White asked and obtained leave of absence for Mr. Parmelee, till afternoon.

Mr. Joslin, for Mr. Ramsdell, for the same time.

#### REPORTS.

Mr. Vickory, from the committee on claims, made the following report, which was accepted, and the committee discharged:

The committee on claims have had under consideration the following, viz :

Claim of Ezra Williams, for services as quarter master, in the years 1842 and 1843. \$200.

The committee report adversely, there being no salary attached to that office, nor any law authorizing the charge.

Claim of John Barber, clerk of Lenawee county, for fees, in the case of the State of Michigan *vs.* Michael A. Patterson, *et. al.*

Rejected for want of testimony.

Claim of George F. Macy, for balance due for services rendered as clerk of the committee of investigation in 1840, during the recess of the legislature, 93 days, at \$1,50-100, \$144.

The receipt of \$92 allowed by the legislature of 1841 is acknowledged, and this we think should be considered a final settlement, to say nothing about the want of authority of the said committee to employ a clerk at the expense of the state.

Claim of James Forsyth to \$20 dollars paid him, for services as superintendent on the Central railroad in 1837, in the Farmers' bank of Sandstone! and which he could not get off his hands. Rather *hard* claim, which cannot be recognised by *this* committee.

Claim of Morgan Bates, to interest on \$561, from January 1842 to February 1843, the principle having been paid him by the last legislature, which the committee think constitutes a bar to this claim.

Claim of R. W. Ingals, for printing military orders &c., amount-

ing to \$40. This is not a proper charge against the state, and is therefore rejected.

Claim of Blair & Rives, for Daily Globe furnished the Executive department from March 1836, to September 1841, \$55,00.

Also, the same paper furnished the House of Representatives from April 1836, to April 1842, \$60,00.

Both claims are rejected; the committee having no evidence that the paper has been furnished, or of the duty of the state to recognise such claims.

Claim of David French, for discount on 260 dollars paid him on settlement with the auditor general in scrip, at 20 per cent., \$52.

The committee report adversely, on the principle which has invariably governed them in similar cases; that a settlement is a bar to all claims behind it.

Claim of Nathan N. Kindall, for balance due him for groceries and provisions advanced the state in 1840 and '41, on the order of the superintendent of the Southern railroad, for a large portion of which he acknowledges payment. This matter, as your committee understand, having been thoroughly investigated and settled by authority of law.

Claim of Z. Vollum, for pressing sheets of session laws of 1843, House and Senate journals, House and Senate documents, joint documents &c., amounting to \$155,16-100. This job belonged either to the printer or the binder, and was therefore embraced in the contract of one of them with the state. It cannot for this reason be allowed.

Claim of P. Desnoyers, for rent of auditor general's and state treasurer's office in 1840. The committee have not sufficient information to justify them in allowing this claim. It is believed that some room in the state buildings might have been occupied for that purpose.

Claim of Charles Butler, for \$201,75-100, the sum originally claimed by John Prentice, for wood delivered on line of Southern railroad in 1839, and which we are informed has been investigated by the board of internal improvement and rejected; and your committee do not feel authorized, on the limited information they have on the subject, to reverse that decision.

Against all the foregoing claims the committee report adversely, and ask to be discharged.

Also, from the same committee, made the following report, which was accepted:

The committee to whom was referred the claim of John Van Fossen, have had the same under consideration, and instructed me to report a state of facts, as made out by the claimant, which will be found in the accompanying memorial, together with a copy of "voucher No. 3526," which your committee have procured from the office of the auditor general, and which exhibits the amount due him on 26th June, 1843, according to the award of board of Auditors, and the terms of the settlement.

All which the committee respectfully submit, and ask to be discharged from further consideration of the subject.

On motion of Mr. Vickery, the report and documents were laid on the table.

Mr. Joslin, from the committee on internal improvement made the following report:

The committee on internal improvement have had under consideration a bill to amend an act granting certain debtors to the state the privilege of paying the state in state bonds, &c., approved February 11th, 1842, and report the same back to the House and recommend its passage, for the reason that they believe it may aid in the collection of the claim of the state against the railroad company in said bill mentioned.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly enrolled 'a bill making appropriations on the Central railroad;' also, 'a bill to provide for laying out a state road;' also, 'a bill for the appropriation of certain highway taxes for the improvement of the state road leading from Coldwater to Centreville;' also 'a bill relative to the streets of recorded but unincorporated village plats;' and also, 'a joint resolution appointing Z. Curtis a commissioner to lay out a state road;' and that the same have been this day severally presented to the Governor for his approval.

Also, from the same committee, reported as correctly engrossed,

'A bill to amend an act in relation to the fire departments and firemen of incorporated cities and villages of this state,' and,

"A bill to incorporate the Detroit and Port Huron plank road company."

Mr. Murphy, from the committee on banks and incorporations, made the following report:

The committee on banks and incorporations, to whom was referred the petition of N. S. Dewey and others, asking for an incorporation of the Hillsdale and Lenawee county turnpike company, respectfully report that they have prepared a bill which they bring in and respectfully recommend its passage.

The report was accepted, the committee discharged and the "bill to establish the Hillsdale and Lenawee turnpike company," was read twice, referred to the committee of the whole and ordered to be printed.

The Senate "joint resolution relative to a certain sum of money stolen from the treasurer's office of the county of Shiawassee," was read twice and referred to the committee on ways and means.

The Senate "joint resolution relative to a certain bond," was read twice, and,

On motion of Mr. Joslin, the twenty-first rule was suspended and the resolution taken up for consideration.

On motion of Mr. H. L. Miller, the following was added to the resolution:

"Resolved, That this joint resolution shall take effect and be in force from and after its passage."

On motion of Mr. D. C. Walker, the words 'or agents appointed or,' were inserted after the word 'agent.'

The resolution was then ordered to a third reading.

The following communication was received from the Senate:

SENATE CHAMBER, }  
March 2, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "a bill supplementary to an act entitled 'an act making appropriations on the Central railroad,' which the Senate have passed and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "bill supplementary to an act entitled 'an act making appropriations on the Central railroad,'" was read twice and referred to the committee on internal improvement.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Haydon asked and obtained leave to introduce "a bill to organize a certain township;" which was read twice, and the twenty-first rule being suspended, the bill was ordered to be engrossed for a third reading.

Mr. Shurtz moved to reconsider the vote by which the "bill to amend section six, chapter two, title seven, part second of the revised statutes," was passed; which motion was lost.

Mr Snell offered a 'joint resolution relative to a settlement with Charles W. Millerd,' which was read twice and referred to the committee on claims.

Mr. Joslin offered a 'joint resolution in relation to a judiciary library,' which was read twice and referred to the committee on the judiciary.

Mr. H. N. Walker offered the following resolution, which was lost.

*Resolved*, That from and after this day this House will hold evening sessions, to commence at 7 o'clock, P. M.

The Speaker offered a 'joint resolution for the relief of William B. Wendall' which was read twice and referred to the committee on public lands.

On motion of Mr. Livermore, Ezra Williams had leave to withdraw his claim.

THIRD READING OF BILLS

The 'bill to organize a certain township;'

The 'joint resolution relative to the claims of E. C. Chapel and John F. Hamlin;'

The 'joint resolution relative to a certain bond; and

The 'joint resolution relative to the claim of Albert Elliot and John M. Van Aikin,' were severally read a third time and passed.

The 'bill to incorporate the Detroit and Port Huron plank road company,' was read the third time and passed by the following vote:

YEAS.

Mr. Adams,  
Ames,

Mr. Lamond,  
Leland,

Mr. Runyan,  
Saunders,

Barnard,  
Baldwin  
Chester,  
Davis,  
Dunham,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Joslin,  
Knowlton,

Livermore,  
O. Miller,  
H. L. Miller,  
Mosher,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,  
Reuhle,  
Rix,

Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Van Husan,  
D. C. Walker,  
White,  
Speaker,

37

## NAYS.

Mr. Knight,

Mr. Vickery,

2

The 'bill to amend an act in relation to the fire departments and firemen of incorporated cities and villages of this state,' was read the third time and passed.

## UNFINISHED BUSINESS.

On motion of Mr. Delamatter,

All after the enacting clause was stricken out of the 'bill to amend an act entitled an act to abolish imprisonment for debt and to punish fraudulent debtors.'

The House then took up the 'bill to improve the navigation of the Paw Paw river.'

Mr. Pratt moved to indefinitely postpone the bill; pending which,

On motion of Mr. D. C. Walker, it was laid on the table.

The "bill to establish the county of Washington," was taken up, and the question being on the amendment offered by Mr. H. N. Walker,

Mr. H. L. Miller moved to amend the amendment by striking out 'Arzeno,' and inserting 'Arsenal,' which motion was lost.

Mr. Shurtz moved to indefinitely postpone the bill.

Mr. Baldwin moved a call of the House, which motion prevailed by the following vote:

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Dunham,  
Ferguson,  
Griffin,

Mr. Hebard,  
Knowlton,  
Lamond,  
O Miller,  
Mosher,  
Murphy,  
R. D. Power,  
Porter,

Mr. Ruehle,  
Rix,  
Runyan,  
Shurtz,  
Snell,  
Stone,  
Videto,  
D. C. Walker,



M. Hall, Hawley,	Pratt,	White,	28
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NAYS.

Mr. Chester, Delamatter, H. Hall, Haydon, Joslin,	Mr. Knight, Leland, H. L. Miller, P. Power, Saunders,	Mr. Sheldon, Vickery, Van Husan, Speaker,	14
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On calling the roll, Messrs. Davis, Fairfield, Livermore, McLeod and Tillson, were absent without leave.

On motion of Mr. Hawley, all further proceedings under the call were dispensed with.

The question then being on the indefinite postponement of the bill, it was lost by the following vote:

YEAS.

Mr. Baldwin, Dunham, Ferguson, Griffin, H. Hall, M. Hall, Hawley,	Mr. Hebard, Joslin, O. Miller, Murphy, Porter, Ruehle, Sheldon,	Mr. Shurtz, Snell, Stone, Tillson, Van Husan, D. C. Walker,	20
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NAYS.

Mr. Adams, Ames, Barnard, Blindbury, Davis, Delamatter, Haydon, Knight,	Mr. Knowlton, Leland, H. L. Miller, Mosher, P. Power, R. D. Power, Pratt, Rix,	Mr. Rowland, Runyan, Saunders, Videto, Vickery, White, Speaker,	23
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The question then recurring on the amendment offered by Mr. H. N. Walker, it prevailed.

Mr. Baldwin moved to amend the bill by inserting 'Van Buren,' after 'Monguagon.'

The question then being on inserting 'Van Buren,' it prevailed.

Mr. Joslin moved to amend the amendment by also striking out the word 'Ecorse' in the same section; which motion was lost.

Mr. Joslin moved to amend by adding the following section; which motion was lost:

"Sec. This act shall not take effect unless the voters of Wayne and Monroe counties shall approve the law by ballot, at the next ge-

neral election, and the several township boards of said counties shall prepare a box for such ballots, which shall be 'county' or, 'no county,' and shall be canvassed like any other votes.

Mr. H. N. Walker moved to add the following section:

"Sec. This act shall take effect and be in force from and after its passage"

Mr. Joslin moved to amend the proposed section, by inserting after the word 'force,' the words, 'in one year;' which motion, after some debate, was withdrawn.

Mr. H. N. Walker then withdrew his motion.

Mr. Baldwin moved an adjournment; which was lost.

The bill was then ordered to be engrossed for a third reading, by the following vote:

## YEAS.

Mr. Ames,	Mr. Haydon,	Mr. Pratt,
Barnard,	Hebard,	Rix,
Blindbury,	Knowlton,	Rowland,
Chester,	Leland,	Runyan,
Davis,	Livermore,	Saunders,
Delamatter,	O. Miller,	Shurtz,
Griffin,	H. L. Miller,	Vickery,
H. Hall,	P. Power,	H. N. Walker,
M. Hall,	R. D. Power,	Speaker,
Hawley,		

28

## NAYS.

Mr. Adams,	Mr. Mosher,	Mr. Stone,
Baldwin,	Murphy,	Tillson,
Dunham,	Porter,	Videto,
Ferguson,	Ruehle,	Van Huse,
Joslin,	Sheldon,	D. C. Walker,
Knight,	Snell,	White,

18

On motion of Mr. Pratt, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment and on calling the roll, Messrs. Berry, Parmelee, Ramsdell and Schoolcraft, were absent on leave, and Messrs. Barnard, Baldwin, Fairfield, H. Hall, Hebard, Leland, R. D. Poyer, Ruehle, Runyan, Shurtz, Vickery and H. N. Walker, were absent without leave.

The following communication was received from the Senate :

SENATE CHAMBER, }  
March 4, 1844. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a 'bill making appropriations on the Northern wagon road,' which the Senate have passed and respectfully ask the concurrence of the House therein.

Also, to return the 'bill to improve the navigation of Flint river,' and to inform the House that the Senate have concurred therein.

Also, to inform the House that the Senate have concurred in the House amendments to the 'joint resolution relative to a certain bond,' and have ordered the same as amended to be enrolled.

Also, to return the 'bill to attach the counties of Kent and Ottawa to the third judicial circuit of the supreme court,' which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

JAS. E. PLATT,  
*Secretary of Senate.*

The 'bill to improve the navigation of Flint river,' was ordered to be enrolled.

The 'bill making appropriations on the Northern wagon road,' was read twice, and referred to the committee on internal improvement.

The amendments to the 'bill to attach the counties of Kent and Ottawa to the third judicial circuit of the supreme court,' were concurred in, and the bill ordered to be enrolled.

The House then took up the "bill to amend an act entitled 'an act to provide for the assessment and collection of taxes,' approved March 8, 1843, and for other purposes," and the question being on concurring in the Senate amendments thereto,

The first, second, third, fourth and fifth amendments were severally concurred in.

Mr. Joslin moved to reconsider the vote by which the House non-concurred in the 4th Senate amendment, which motion was lost.

The sixth amendment was non-concurred in, and the seventh amendment being under consideration,

Mr. H. Miller moved to amend the amendment, by striking out, in the ninth line, the words 'after the year 1844,' and in the 11th line the words 'and for the present year, of the auditor general.'

Mr. Joslin offered a substitute for the amendment to the Senate amendment, striking out all after the word 'duty,' in the ninth line, to the word 'of' in the tenth line, which substitute was lost.

Mr. Vickery moved to amend the amendment by striking out of the ninth line the words 'after the year 1844,' also, in the same line strike out 'board of supervisors,' and insert 'county treasurer,' also, strike out all between the word 'provided' in the tenth line and the first word 'to' in the eleventh line, which motion was lost.

The question then recurring on Mr. H. L. Miller's motion, it was lost by the following vote:

## YEAS.

Mr. Ames,  
Barnard,  
Blindbury,  
Davis,  
Griffin,  
M. Hall,  
Haydon,

Mr. Knight,  
Knowlton,  
McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,

Mr. R. D. Power,  
Rowland,  
Sheldon,  
Vickery,  
H. N. Walker,  
Speaker,

19

## NAYS.

Mr. Adams,  
Baldwin,  
Chester,  
Ferguson,  
H. Hall,  
Hawley,  
Hebard,  
Joslin,  
Lamond,

Mr. Leland,  
Livermore,  
O Miller,  
Mosher,  
P. Power,  
Porter,  
Pratt,  
Ramsdell,  
Rix,

Mr. Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
D. C. Walker,

26

Mr. H. N. Walker moved to strike out of the 8th line of the Senate amendment, the words 'state paper,' and insert 'a paper published at the seat of government,' which motion was lost.

Mr. Joslin moved to strike out all after 'and' in the ninth line, and to and including the word 'year' in the tenth line, and insert after the word 'year' in the tenth line, the words 'it shall be the duty,' which motion was lost.

Mr. H. L. Miller offered the following substitute to the Senate amendment:

'Be it further enacted, that a notice of the sale of all lands in this state that shall hereafter be delinquent for taxes, shall be published in pamphlet form, in the manner following, viz: The said lands in each county to be designated by the number and range of the town-

ship, section and subdivision of the section by the letters and figures usually employed in making such designations. The lands in each county to constitute a pamphlet, and the several descriptions to be arranged by townships and sections in the plainest and most intelligible order. That the several organized towns in the state shall each be furnished with four copies of the pamphlet containing the list of the entire sales in the county in which such town is situated. That the several organized counties shall each be furnished with two copies of said pamphlets containing the lists of the entire sales in the state, which said pamphlets for the use of the counties shall be printed together, in the alphabetical order of the counties.

Be it further enacted, that it shall be the duty to advertise for and receive sealed proposals for the printing of such a number of said pamphlets as is hereby required, with 500 additional copies for gratuitous distribution in this and adjoining states. That said proposals shall be sealed and addressed to ———, and endorsed, (proposals for publishing tax sales,) which proposals shall remain unopened until the first Tuesday of May, in each year, on which day said proposals shall be publicly opened and examined at the office of the treasurer, and the printing shall be given to the lowest bidder, provided such bidder shall give good security, in a sum equal to the amount to be paid for the printing of said work, that the same shall be well and faithfully performed, and said pamphlets ready for delivery by the ——— day of ———, 18—; and in case such lowest bidder shall not give such security, that said contract shall be given to the next lowest bidder who shall give such security, on the foregoing conditions.

Be it further enacted, that it shall be the duty of ——— to forward the copies of said lists provided for by this act, to the several county treasurers of this state, who shall give notice to the supervisors of their respective counties that said lists are ready for delivery, which lists shall be subject to the inspection of the public at all reasonable times and hours, and it shall be the duty of said county treasurers and supervisors to preserve said lists for such examination and inspection.

Be it further enacted, that it shall be the duty of the auditor general to draw his warrant on the state treasurer for the amount of the

sum contracted to be paid for such printing, and it shall be the duty of the treasurer to pay the sum out of any money in the treasury not otherwise appropriated, and it shall also be the duty of the auditor general to furnish such contractor with a manuscript copy of the lists hereby required to be published in time to enable said contractor to comply with his contract.

Which substitute was rejected by the following vote:

## YEAS.

Mr. Barnard,  
Blindbury,  
Davis,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,

Mr. Haydon,  
Knight,  
Knowlton,  
Leland,  
McLeod,  
H. L. Miller,  
Murphy,

Mr. Parmelee,  
R. D. Power,  
Rowland,  
Sheldon,  
Vickery,  
H. N. Walker,  
Speaker,

22

## NAYS.

Mr. Adams,  
Ames,  
Chester,  
Hebard,  
Joslin,  
Lamond,  
Livermore,  
O. Miller,

Mr. Mosher,  
Porter,  
Pruitt,  
Ramsdell,  
Ruehle,  
Rix,  
Runyan,

Mr. Saunders,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
D. C. Walker, 23

The question then being on concurring in the 7th Senate amendment, it was non-concurred in.

The eighth and ninth Senate amendments were then concurred in. On motion of Mr. Joslin,

The House asked of the Senate the appointment of a committee of conference on the "bill to amend an act entitled 'an act to provide for the assessment and collection of taxes,' &c.

Mr. H. L. Miller moved to reconsider the vote by which the House non-concurred in the seventh Senate amendment to the bill amending the tax law; which motion was lost, by the following vote:

## YEAS.

Mr. Barnard,  
Blindbury,  
Griffin,  
Hawley,  
Haydon,  
Knight,

Mr. Knowlton,  
McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,  
R. D. Power,

Mr. Porter,  
Rowland,  
Sheldon,  
Vickery,  
H. N. Walker, 19

NAYS.

Mr. Adams	Mr. Joslin,	Mr. Rix
Ames,	Lamond,	Runyan,
Baldwin,	Leland,	Shurtz,
Chester,	Livermore,	Snell,
Davis,	O. Miller,	Stone,
Delamatter,	Mosher,	Tillson,
Dunham,	P. Power,	Videto,
Ferguson,	Pratt,	Van Huse,
M. Hall,	Ramsdell,	D. C. Walker,
Hebard,	Ruehle,	Speaker, 30

The House then took up the "bill to incorporate the Philadelphia association."

Mr. Pratt moved to lay the bill on the table; which motion was lost.

Mr. Ramsdell asked and obtained the unanimous consent of the House to offer the following additional section, which was adopted.

Section . Nothing contained in this act shall be construed to authorize or allow this association to establish any branch associations.

The question then being on the passage of the bill, it was lost by yeas and nays as follows, two thirds not voting in the affirmative:

YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Ramsdell,
Baldwin,	Larond,	Rix,
Chester,	Leland,	Sheldon,
Davis,	Livermore,	Tillson,
Delamatter,	McLeod,	Videto,
Griffin,	Murphy,	Vickery,
H. Hall,	Porter,	D. C. Walker,
M. Hall,	Pratt,	Speaker, 24

NAYS.

Mr. Ames,	Mr. Knight,	Mr. Saunders,
Barnard,	Knowlton,	Shurtz,
Blindbury,	O. Miller,	Snell,
Dunham,	H. L. Miller,	Stone,
Ferguson,	Parmelee,	Van Huse,
Hawley,	P. Power,	H. N. Walker,
Hebard,	Ruehle,	20

Mr. Mac Leod moved to suspend the 27th rule, which motion was lost by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Leland,	Mr. Ramsdell,
Baldwin,	Livermore,	Rix,
Chester,	McLeod,	Sheldon,
Davis,	Mosher,	Tillson,

Delamatter,  
H. Hall,  
M. Hall,  
Joslin,

Murphy,  
P. Power,  
Porter,  
Pratt,

Videto,  
Vickery,  
D. C. Walker,  
Speaker, 24

### NAYS.

Mr. Barnard,  
Blindbury,  
Dunham,  
Ferguson,  
Griffin,  
Hawley,  
Hebard,  
Knight,

Mr. Knowlton,  
Lamond,  
O. Miller,  
H. L. Miller,  
Parmelee,  
Ruehle,  
Rowland,

Mr. Runyan,  
Saunders,  
Shurtz,  
Snell,  
Stone,  
Van Husan,  
H. N. Walker, 22

The House then went into committee of the whole on the general order, Mr. Ramsdell in the chair, and after a short time spent thereon the committee rose and by their chairman reported that they had had under consideration a 'joint resolution for the relief of Michael Furlong,' and a 'bill relative to the duties of assessors and highway commissioners,' which they reported back with amendments in which the concurrence of the House was asked.

The amendments to the 'joint resolution for the relief of Michael Furlong' were concurred in.

Mr. H. L. Miller moved to strike out all after the resolving clause which motion was lost: and

The joint resolution was ordered to be engrossed for a third reading.

Mr. H. L. Miller moved to lay the 'bill relative to the duties of assessors and highway commissioners' on the table, which did not prevail.

Mr. Blindbury moved to strike the word 'October' out of the first line of section 4 and insert 'November,' which was lost.

Mr. Delamatter moved to strike 'seventy-five' out of the second line of section 5, and insert 'sixty-two and a half' which motion was lost.

Mr. H. N. Walker moved to strike out all after the enacting clause; which motion did not prevail.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. H. L. Miller, the House adjourned.



*Tuesday, March 5, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry and Schoolcraft were absent on leave, and Messrs. Fairfield, Van Huse and H. N. Walker were absent without leave.

Prayer by Rev. Mr. Harrison.

The journal of yesterday was read and approved.

Mr. Chester asked and obtained leave of absence for Mr. Fairfield, for the day, on account of ill health.

PETITIONS.

By Mr. Davis, the remonstrance of William Draper and thirty-two others, of the village of Pontiac, in the county of Oakland, against allowing Alfred Williams to purchase a certain mortgage owned by the state. Laid on the table.

By Mr. H. N. Walker, the claim of James W. King. Referred to the committee on claims.

By Mr. Rowland, the claim of John Brennan. Referred to the committee on claims.

By Mr. H. L. Miller, the petition of S. S. Campbell and twenty others, residents of Saginaw county, for an alteration of the boundary of Hampton township, and also to attach certain towns to Tittabawassee. Referred to the committee on the organization of towns and counties.

REPORTS.

Mr. Pratt, from the committee on engrossment and enrolment, reported as correctly enrolled, "an act to attach the counties of Kent and Ottawa to the third judicial circuit;" also, "an act to improve the navigation of the Flint river;" and that the same have been this day presented to the governor for his approval.

Also, from the same committee, reported as correctly engrossed:

"A bill to establish the county of Washington;"

"A bill relative to the duties of assessors and highway commissioners;" and

"A joint resolution for the relief of Michael Furlong."

Mr. Ramsdell, from the committee on the judiciary, made the following report, which was accepted and the committee discharged:

The committee to whom was referred the petition of seventy inhabitants of the counties of Branch and St. Joseph, asking for certain

privileges set forth in the petition, have had the same under consideration, and have instructed me to report that the evidence before the committee has not been sufficient to enable them to determine the question submitted to them.

Mr. D. C. Walker, from the committee on ways and means, to whom was referred the Senate 'joint resolution relative to a certain sum of money stolen from the treasurer's office of the county of Shiawassee,' reported the same back, with the following proviso :

*"Provided, however, That the payment to be made to the county treasurer aforesaid, in pursuance of this resolution, shall in no way be construed as an acknowledgement that the state is to suffer the loss of the money alledged to have been stolen."*

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Mr. Vickery, from the committee on claims, made the following report :

The committee on claims to whom was referred a 'joint resolution, relative to the claim of Ebenezer Wesbrook, report the same back and recommend the following amendment : Strike out of the 6th and 7th lines, the words 'the sum of one hundred and twenty-five dollars,' and insert in lieu thereof, 'a sum not exceeding sixty dollars.

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Mr. H. N. Walker, from the committee on public lands, to whom was referred the 'joint resolution for the relief of Wm. B. Wendall,' reported the same back without amendment, and recommended its passage.

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Mr. Murphy, from the committee on banks and incorporations, to whom was referred the Senate 'bill to incorporate the Troy and Rochester railroad company,' reported the same back without amendment, and recommended its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Joslin, from the committee on internal improvement, to whom was referred the Senate "bill supplementary to an act entitled 'an

act making appropriations on the Central railroad,'” reported the same back with amendments, in which the concurrence of the House was asked.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

NOTIONS, RESOLUTIONS, AND NOTICES.

Mr. H. L. Miller asked leave of absence for himself for the remainder of the session, which was refused.

Mr. Hebard offered the following resolution:

*Resolved*, That the committee on towns and counties be instructed to report back to this House forthwith the bill to reattach certain towns to Lapeer county.

On motion of Mr. Lamond, the resolution was laid on the table.

Mr. Pratt offered the following resolution:

*Resolved*, That this House will hold an evening session this evening and to-morrow evening, commencing at 7 o'clock; and no bill shall be put upon its final passage during any evening session, unless by unanimous consent.

Mr. Murphy moved to strike out ‘this evening and,’ which motion was lost.

Mr. H. L. Miller moved to strike out ‘and to-morrow,’ which did not prevail.

The resolution was then adopted.

Mr. Porter offered the following joint resolution, which under the rule was laid on the table for one day:

*Resolved by the Senate and House of Representatives of the State of Michigan*. That the Senate and House of Representatives will adjourn *sine die* on the 11th day of March instant, at four o'clock in the afternoon.

Mr. Joslin, from the committee on internal improvement, to whom was referred the Senate ‘bill making appropriations on the northern wagon road,’ on leave, reported the same back without amendment.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

On motion of Mr. Blindbury, the ‘bill to incorporate the Detroit and Grand River plank road company,’ was made the special order for this evening.

## THIRD READING OF BILLS.

The 'bill to establish the county of Washington,' was read the third time, when .

Mr. Pratt moved to recommit the bill to a select committee of three with instructions to strike out the town of Van Buren, which motion was lost.

On motion of Mr. H. N. Walker, the blank in the third section was filled with the words 'third Tuesday of July.'

Mr. Saunders moved to lay the bill on the table, which did not prevail.

Mr. Baldwin moved an adjournment, which was lost.

On motion of Mr. Saunders, the bill was laid on the table.

The 'joint resolution for the relief of Michael Furlong' was read the third time and passed.

The 'bill relative to the duties of assessors and highway commissioners,' was read the third time, when

Mr. Joslin asked and obtained the unanimous consent of the house to offer the following amendment:

Insert after the word 'oaths' in the fifth line of section 4, the words 'or before the supervisor,' which amendment prevailed.

Mr. Ramsdell asked and obtained the unanimous consent of the house to offer the following amendment: strike out of section 6, the words 'acts and,' which amendment prevailed.

The bill was then passed.

Mr. Haydon moved to postpone the 'bill to improve the navigation of the Paw Paw river,' till Saturday next.

Mr. Baldwin moved to amend the motion by postponing till Tuesday next, which motion was lost.

The question recurring on the motion to postpone till Saturday next it prevailed.

The House then went into committee of the whole on the general order, Mr. Livermore in the chair, and after a short time spent thereon the committee rose, and by their chairman reported that they had under consideration a 'bill amendatory to chapter five of the revised statutes, and the several laws supplementary thereto,' which they reported back without amendment; and a 'joint resolution authorizing the commissioner of the land office to issue a certain certificate,'

which they reported back with an amendment in which the concurrence of the House is asked, and 'a bill to abolish capital punishment,' on which they reported progress, and asked leave to sit again thereon. Leave was not granted.

On motion of Mr. Pratt, the bill to abolish capital punishment' was laid upon the table.

The question then being on ordering the 'bill amendatory to chapter five of the revised statutes, and the several laws supplementary thereto,' to be engrossed for a third reading, it was decided in the negative.

The 'joint resolution authorizing the commissioner of the land office to issue a certificate' was ordered to be engrossed for a third reading.

On motion of Mr. Vickery, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry, Fairfield and Schoolcraft were absent on leave, and Messrs. O. Miller, Saunders, Shurtz and H. N. Walker were absent without leave.

Mr. Delamatter moved to reconsider the vote by which the House refused to order to be engrossed for a third reading, the 'bill amendatory to chapter five of the revised statutes, and the several laws supplementary thereto,' which motion prevailed by the following vote:

YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Pratt,
Ames,	Knight,	Rix,
Baldwin,	Knowlton,	Rowland,
Ceester,	Lamond,	Runyan,
Delamatter,	Leland,	Stone,
Dunham,	Livermore,	Tillson,
Ferguson,	H. L. Miller,	Videto,
Griffin,	Mosher,	Vickery,
H. Hall,	Parmelee,	Van Huse,
M. Hall,	P. Power,	D. C. Walker,
Haydon,	R. D. Power,	White,
Hebard,	Porter,	Speaker,
		36

NAYS.

Mr. Barnard,	Mr. Hawley,	Mr. Ruehle,
Blindbury,	Murphy,	Sheldon,
Davis,	Ramsdell,	Snell,
		9

Mr. H. L. Miller moved to strike out all after the enacting clause.

Mr. Joslin offered a substitute for the motion, to strike out all after the enacting clause, and insert the following: 'That all laws in relation to the sale of spirituous liquors are hereby repealed;' which was lost by the following vote :

## YEAS.

Mr. Barnard,  
Delamatter,

Mr. Joslin,  
Lamond,

Mr. Ruehle,  
D. C. Walker, 6

## NAYS.

Mr. Adams,  
Ames,  
Baldwin,  
Blindbury,  
Chester,  
Davis,  
Dunham,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Haydon,  
Hebard,

Mr. Knowlton,  
Leland,  
Livermore,  
McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Ramsdell,  
Rix,  
Rowland,

Mr. Runyan,  
Saunders,  
Sheldon,  
Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Hulan,  
H. N. Walker,  
White,  
Speaker, 39

The question recurring on the motion to strike out all after the enacting clause, it prevailed by the following vote :

## YEAS.

Mr. Adams,  
Barnard,  
Blindbury,  
Chester,  
Davis,  
Ferguson,  
H. Hall,  
Haydon,  
Hebard,  
Joslin,

Mr. Knowlton,  
Lamond,  
McLeod,  
H. L. Miller,  
Murphy,  
R. D. Power,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,

Mr. Runyan,  
Sheldon,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Hulan,  
D. C. Walker,  
H. N. Walker,  
White, 30

## NAYS.

Mr. Ames,  
Baldwin,  
Delamatter,  
Dunham,  
Griffin,

M. Hall,  
Knight,  
Leland,  
Livermore,  
Parmelee,

Mr. P. Power,  
Porter,  
Shurtz,  
Snell,  
Speaker, 15

On motion of Mr. H. N. Walker, the enacting clause was indefinitely postponed.

The Speaker announced the reception of the following communication from the Senate.

SENATE CHAMBER, }  
March 5, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the ‘bill to amend section 6, chapter 2, title 7, part 2 of the revised statutes,’ which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

JAS. E. PLATT,  
*Secretary of the Senate.*

The first amendment was concurred in, and the second amendment being under consideration,

On motion of Mr. Baldwin, the words ‘be decreed,’ were inserted after the word ‘may.’

The amendment as amended was then non-concurred in.

The following communication was received from the Senate :

SENATE CHAMBER, }  
March 5, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate respectfully to inform you, that Senator Pratt, Mason and Wilson, have been appointed a committee of conference on the part of the Senate on the disagreement between the two houses on the ‘bill to amend an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1843.’

Also, to return the ‘bill to provide for laying out and establishing certain state roads,’ which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also, to return the ‘bill to lay out, establish and provide for the construction of a state road from the village of Battle Creek to the village of Grand Rapids,’ which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also, to return the ‘bill to provide for the construction of a certain state road,’ and to inform the House that the Senate have concurred therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The 'bill to provide for the construction of a certain state road, was ordered to be enrolled.

The amendments to the 'bill to provide for the laying out and establishing certain state roads,' were severally concurred in, and the bill ordered to be enrolled.

The amendments to the 'bill to lay out and establish a state road from Battle Creek to the village of Grand Rapids,' were severally concurred in, and the bill ordered to be enrolled.

The Speaker announced as a committee of conference on the part of the House on the "bill to amend an act entitled 'an act to provide for the assessment and collection of taxes,'" &c., Messrs. D. C. Walker, Pratt and Livermore.

The House went into committee of the whole on the general order, Mr. Pratt in the chair, and after some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration, a 'joint resolution relative to the claim of Farrand and Higbee, and John H. Dubois,' to which they had made an amendment, in which the concurrence of the House was asked, and a 'joint resolution proposing an amendment to the constitution,' which they reported back without amendment, and a 'bill to facilitate the study of anatomy, and to repeal chapter two, part one, title eight of the revised statutes, relating to medical societies,' on which they reported progress, and asked leave to sit again. Leave was not granted, and,

On motion of Mr. Murphy, the bill was laid on the table.

The amendment to the 'joint resolution relative to the claim of Farrand and Higbee, and John H. Dubois,' was concurred in.

Mr. H. L. Miller moved to strike out all after the resolving clause, which motion did not prevail.

The joint resolution was then ordered to be engrossed for a third reading.

The 'joint resolution proposing an amendment to the constitution,' being under consideration,

Mr. Vickery moved to lay it on the table, which motion was lost.

Mr. Vickery moved its indefinite postponement, pending which,

Mr. Baldwin moved to lay the resolution on the table, which motion did not prevail.

Mr. Delamatter moved an adjournment, which was lost.



Mr. H. N. Walker asked and obtained leave of absence for Mr. H. L. Miller for the evening.

Mr. M. Hall for Mr. McLeod for the same time.

Mr. Knowlton for Mr. P. Power for the same time.

Mr. P. Power for Mr. Knowlton for the same time.

Mr. Ramsdell for himself for the same time.

Mr. M. Hall for Mr. Ames for the same time.

On motion of Mr. Livermore, the House adjourned.

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### *Evening Session*

The House met pursuant to adjournment, and on calling the roll Messrs. Ames, Berry, Fairfield, Knowlton, McLeod, H. L. Miller, P. Power and Schoolcraft were absent on leave, and Messrs. Griffin, H. Hall, Haydon, Hebard, Rix and Saunders were absent without leave.

The House resolved itself into committee of the whole on the special order, being the "bill to incorporate the Detroit and Grand River plank road company," Mr. Baldwin in the chair, and after spending some time thereon, the committee rose and by their chairman reported the bill back with amendments and asked the concurrence of the House therein.

The amendments were concurred in.

Mr. Pratt moved to strike out of the first line of section 7, the word "sixteen" and insert "eighteen" which motion was lost.

Mr. White moved to add the following to the 12th section which was lost :

And in case of a refusal to grant an inspection of the books and papers belonging to said corporation to any one of its stockholders at any time demanding the same, they shall forfeit and pay for such refusal three times the value of the stock paid in (to the person making such demand) to be recovered by suit in any court having competent jurisdiction.

On motion of Mr. H. N. Walker all relative to guide boards in the bill was stricken out.

On motion of Mr. H. N. Walker, the bill was committed to a select committee of three.

The Speaker appointed as said committee Messrs. H. N. Walker, R. D. Power and Blindbury.

On motion of Mr. Davis, the House adjourned.

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*Wednesday, March 6, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry and Schoolcraft were absent on leave, and Messrs. Blindbury and Fairfield were absent without leave.

Prayer by Rev. Mr. Harrison.

The journal of yesterday was read and approved.

Mr. M. Hall presented the petition of sundry owners of university lands in East Battle Creek, praying that the commissioner of the land office may be authorized to re-survey the plat of said village. Referred to the committee on public lands.

#### REPORTS.

Mr. Pratt, from the committee on enrolment and engrossment, reported as correctly enrolled, "a bill to lay out, establish and provide for the construction of a state road from the village of Battle Creek, through the village of Hastings, to intersect the Grand river and Kalamazoo road;"

"A bill to provide for the laying out and establishing certain state roads;" and,

"A bill to provide for the construction and improvement of the road running from Allegan, in the county of Allegan, to Grandville, in the county of Kent;" and that the same had been this day presented to the governor for his approval.

Also, from the same committee, reported as correctly engrossed,

"A joint resolution authorizing the commissioner of the land-office to issue a certain certificate therein mentioned;" and,

"A joint resolution relative to the claims of Farrand & Higbee, and John H. Dubois."

Mr. McLeod, from the committee on federal relations, to whom was referred the "joint resolution instructing our senators and requesting our representatives in congress, relative to the admission of

Texas into the Union," reported the same back without amendment and recommended its passage.

The report was accepted, the committee discharged and the joint resolution referred to the committee of the whole.

Mr. H. N. Walker, from the select committee to whom was referred the "bill to incorporate the Detroit and Grand river plank road company," reported the same back with sundry amendments.

The report was accepted, the committee discharged and the bill placed among the unfinished business.

Mr. H. L. Miller, from the select committee to whom was referred the "bill to define and protect the rights of married women," reported the same back with sundry amendments.

The report was accepted, the committee discharged, and the bill placed among the unfinished business.

The following communication was received from the Senate:

SENATE CHAMBER, }  
March 5, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform you that the Senate insist on the second amendment to the bill to amend section six, chapter two, title seven, part second of the revised statutes, and to return the same and respectfully request that a committee of conference may be appointed on the part of the House.

JAMES E. PLATT,  
*Secretary of the Senate.*

Messrs. Ramsdell, H. L. Miller and Knight, were appointed a committee of conference on the part of the House on the disagreement between the two houses on the bill to amend section six, chapter two, title seven, part second of the revised statutes.'

The Speaker announced the reception of the following message from the Senate :

SENATE CHAMBER, }  
March 5, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the 'joint resolution authorizing the commissioner of the land office to issue to Samuel Morgan a certificate for certain land,' and to inform the House that the Senate have concurred therein.

Also, to return the 'bill to establish a land office, to prescribe and regulate the disposition of the public lands and for other purposes,' which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also, to return the 'bill to incorporate the Rochester and Royal Oak plank road company,' and to respectfully inform the House that the Senate have non-concurred therein.

JAS. E. PLATT,  
*Secretary of Senate.*

The 'joint resolution authorizing the commissioner of the land office to issue to Samuel Morgan a certificate for certain land,' was ordered to be enrolled.

The amendments to the 'bill to establish a land office, to prescribe and regulate the disposition of the public lands, and for other purposes,' were severally concurred in, and the bill ordered to be enrolled.

A communication was received from the treasurer of Wayne county, relative to the Detroit and Saginaw turnpike, which was read and laid on the table.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Parmelee offered the following resolution :

*Resolved*, That from and after this day, this House will commence its morning session at eight o'clock, A. M., and its afternoon session at two o'clock, P. M.

Mr. Baldwin moved to strike out 'eight' and insert 'four.'

A division of the question being called for, and the question being on striking out, it prevailed.

The question then being on inserting 'four,' it was lost.

Mr. Murphy moved to insert 'five,' which did not prevail.

On motion of Mr. H. N. Walker the word "nine" was inserted, and the words "and hold an evening session, to commence at seven o'clock P. M." were added to the resolution.

On motion of Mr. Delamatter, the words "half past," were inserted before "two."

The resolution was then adopted by the following vote :

#### YEAS.

Mr. Adams,  
Ames,

Mr. Joslin,  
Knight,

Mr. Rix,  
Rowland,

Barnard,	Knowlton,	Runyan,
Blindbury,	Lamond,	Saunders,
Chester,	Leland,	Sheldon,
Davis,	Livermore,	Shurtz,
Dunham,	O. Miller,	Snell,
Ferguson,	Mosher,	Stone,
Griffin,	R. D. Power,	Tillson,
H. Hall,	Porter,	Van Husan,
M. Hall,	Pratt,	D. C. Walker,
Hawley,	Ramsdell,	H. N. Walker
Hebard,	Ruehle,	Speaker, 39

NAYS.

Mr. Baldwin,	Mr. H. L. Miller,	Mr. P. Power,
Delamatter,	Murphy,	Videto,
McLeod,	Parnelee,	Vickery, 9

On motion of Mr. Rix, the Senate joint resolution relative to the claim of Ebenezer Wesbrook, was referred back to the committee on claims.

Mr. H. Hall asked and obtained leave to introduce a "bill authorizing the marking and branding of horses, cattle, sheep and swine," and the bill was read twice, referred to the committee of the whole and ordered to be printed.

The "joint resolution relative to adjournment."

The "joint resolution relative to the claim of Farrand and Higbee and John H. Dubois," and

The "joint resolution authorizing the commissioner of the land office to issue certain certificates therein mentioned," were severally read the third time and passed.

The "bill to establish the county of Washington," was taken up, when

Mr. Joslin moved its indefinite postponement, which motion prevailed by the following vote :

YEAS.

Mr. Baldwin	Mr. Knight,	Mr. Sheldon,
Davis,	Lamond,	Shurtz,
Dunham,	Livermore,	Snell,
Ferguson,	O. Miller,	Stone,
Griffin,	Mosher,	Tillson,
H. Hall,	Murphy,	Videto,
M. Hall,	Porter,	Van Husan,
Hawley,	Ramsdell,	D. C. Walker,
Hebard,	Ruehle,	White,
Joslin,	Rowland,	Speaker, 30

## NAYS.

Mr. Adams,	Mr. Leland,	Mr. Pratt,
Barnard,	McLeod,	Rix,
Blindbury,	H. L. Miller,	Runyan,
Chester,	Parmelee,	Saunders,
Delamatter,	P. Power,	Mr. Vickery,
Haydon,	R. D. Power,	H. N. Walker,
Knowlton,		

19

Mr. Baldwin moved a reconsideration of the last vote.

Mr. Pratt moved to lay the motion to reconsider on the table, which did not prevail.

The question then being on the reconsideration, it was lost.

The House then took up the "bill to abolish capital punishment."

Mr. Pratt moved to lay the bill on the table, which motion was lost.

Mr. H. N. Walker moved its indefinite postponement, which was lost by the following vote:

## YEAS.

Mr. Baldwin,	Mr. Joslin,	Mr. Rowland,
Blindbury,	Knight,	Sheldon,
Chester,	Leland,	Stone,
Dunham,	O. Miller,	Tillson,
H. Hall,	Porter,	Van Huse,
M. Hall,	Ramsdell,	D. C. Walker,
Hawley,	Rix,	H. N. Walker,
Hebard,		

22

## NAYS.

Mr. Adams,	Mr. Lamond,	Mr. Pratt,
Ames,	Livermore,	Ruehle,
Barnard,	McLeod,	Runyan,
Davis,	H. L. Miller,	Shortz,
Delamatter,	Mosher,	Snell,
Ferguson,	Murphy,	Videto,
Griffin,	Parmelee,	Vickery,
Haydon,	P. Power,	White,
Knowlton,	R. D. Power,	Speaker,

27

Mr. H. L. Miller offered the following amendments to the bill, which were lost:

Amend the second section by striking out the words 'every person who shall hereafter be adjudged guilty of' in the 1st line. And in the second line the words 'every person who shall be adjudged guilty of.' The words 'for such offence' in the third line. And the words 'his or her' in the fourth line.

Mr. H. L. Miller moved to strike out the first section of the bill, which motion did not prevail.

Mr. D. C. Walker moved to postpone the bill till to-morrow evening at seven o'clock.

Mr. Ramsdell moved to amend the motion by postponing till Tuesday next, which motion was lost by yeas and nays, as follows:

YEAS.

Mr. Baldwin,	Mr. Knight,	Mr. Ramsdell,
Blindbury,	Leland,	Rix,
Chester,	O. Miller,	Rowland,
H. Hall,	H. L. Miller,	Sheldon,
M. Hall,	Mosher,	Tillson,
Hawley,	Murphy,	Van Housen,
Hebard,	Porter,	H. N. Walker,
Joslin,		22

NAYS.

Mr. Adams,	Mr. Knowlton,	Mr. Shurtz,
Ames,	Lamond,	Snell,
Barnard,	Livermore,	Stone,
Davis,	McLeod,	Videto,
Delamatter,	P. Power,	Vickery,
Dunham,	R. D. Power,	D. C. Walker,
Ferguson,	Pratt,	White,
Griffin,	Ruehle,	Speaker,
Haydon,	Runyan,	26

Mr. H. L. Miller moved to lay the bill on the table, which was lost.

The question then recurring on the motion to postpone the bill till to-morrow evening, it prevailed.

The joint resolution proposing an amendment to the constitution being under consideration,

Mr. H. N. Walker moved to amend, by inserting after the word 'citizen,' in the fifth line, the words 'who can read and write the English language;' and also, after the word 'inhabitant,' in the seventh line, the words 'who can read and write as aforesaid,' which motion did not prevail.

Mr. Ramsdell offered the following as an additional resolution:

*Resolved*, That the above proposed amendment be entered on the journals of the Senate and House of Representatives with the yeas and nays taken thereon, and that it be and hereby is referred to the legislature of this state next to be chosen; and that said proposed amendment be published for three months previous to the time of

making such choice, in at least one paper in each of the counties in this state, in which any paper is or may be published.

Pending which, Mr. D. C. Walker moved to postpone the resolution till to-morrow evening, which motion was lost.

The question then recurring on the amendment offered by Mr. Ramsdell,

Mr. Joslin moved to strike out of the amendment all after the word "proposed" to, and inclusive of, the words 'and that it,' which motion prevailed.

Mr. Joslin then offered the following substitute for the additional resolution :

*Resolved*, That the foregoing resolution be referred to the next legislature of this state for its approval, and be published in the Free Press agreeable to the provisions of the constitution.

Mr. Murphy moved to amend the substitute by inserting after 'Free Press,' the words 'and Jackson Democrat,' which motion was lost.

The question then being on the substitute, it was rejected.

The question recurring on the amendment offered by Mr. Ramsdell, it did not prevail.

Mr. Chester moved to amend the resolution, by striking out of the fourth line the word 'white,' which was lost.

The joint resolution was then ordered to be engrossed for a third reading.

The House then took up the 'bill to incorporate the Detroit and Grand River plank road company,' and the question being on concurring in the amendments proposed by the select committee, they were severally concurred in, and the bill was ordered to be engrossed for a third reading.

The amendment proposed by the select committee to the 'bill to define and protect the rights of married women' were severally concurred in, and the bill was ordered to be engrossed for a third reading.

On motion of Mr. Vickery, the House adjourned.

#### *Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry and Schoolcraft were absent on leave, and Messrs. Barzard, Dunham, Leland, McLeod, R. D. Power, Ramsdell, Saunders, and Shurtz, were absent without leave.



The 'bill to facilitate the study of anatomy' &c, was taken up, and the question being on concurring in the amendment proposed by the committee on the judiciary, it was non-concurred in.

Mr. Pratt moved the indefinite postponement of the bill, which motion after some discussion was withdrawn.

On motion of Mr. Lamond, the vote by which the House refused to concur in the amendment proposed by the judiciary committee was reconsidered.

The question then being on concurring in the amendment, it was decided in the negative by the following vote:

YEAS.

Mr. M. Hall,	Mr. Leland,	Mr. Ramsdell,
Hawley,	H. L. Miller,	Saunders,
Haydon,	Mosher,	Snell,
Hebard,	Parme.ee,	D. C. Walker,
Knight,	Porter,	White,
		15

NAYS.

Mr. Ames,	Mr. H. Hall,	Mr. Rowland,
Burnard,	Lamond,	Sheldon,
Baldwin,	Livermore,	Shurtz,
Blindbury,	O. Miller,	Stone,
Chester,	Murphy,	Tillson,
Davis,	P. Power,	Videto,
Delamatter,	R. D. Power,	Van Husan,
Dunham,	Pratt, j	H. N. Walker,
Ferguson,	Ruehle,	Speaker,
Griffin,	Rix,	29

Mr. Pratt moved to insert after the word "interment" in the ninth line the words "within thirty days after his or her death," and insert after the word 'criminal' in the eig'ht line, the words "shall be preserved in alcohol at the expense of said medical society," which amendment was lost.

Mr. Pratt moved to amend by adding the following proviso : "And provided further, the friends of the deceased shall first be notified of the death of said convict by said medical society," which amendment was rejected.

Mr. Pratt moved to strike out all after the word "the" in the sixth line and insert, "sheriff or any constable within the county to deliver to any agent of said society, on the presentation of an order signed by the president of said society, the body of any person who shall die within said county, which amendment was lost.

Mr. Pratt moved to strike out the first section.

Mr. Joslin moved the previous question which was demanded, and the main question was ordered to be now put.

The main question being on striking out the first section was then put and lost as follows :

## YEAS.

Mr. Barnard,  
Blindbury,  
Davis,

Mr. Hawley,  
Knowlton,  
H. L. Miller,

Mr. R. D. Power,  
Pratt,  
8

## NAYS.

Mr. Adams,  
Baldwin,  
Chester,  
Dunham,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Haydon,  
Hebard,  
Joslin,

Mr. Knight,  
Lamond,  
O. Miller,  
Mosher,  
Parnclee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,

Mr. Shurtz,  
Snell,  
Stone,  
Tillson,  
Videto,  
Van Hulan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker.

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The bill was then ordered to a third reading.

The following message was received from the Senate :

SENATE CHAMBER, }  
March 6, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House that Senators Wilson, Howell and Green, have been appointed a committee of conference on the part of the Senate, on the disagreement between the two houses on the 'bill to amend section six, chapter two, title seven, part two of the revised statutes.'

JAMES E. PLATT,  
*Secretary of the Senate.*

The following message was received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, March 6, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act for the appropriation of certain highway taxes for the improvement of the state road leading from Coldwater to Centreville."

Also, "an act to improve the navigation of the Flint river."

Also, "an act relative to the streets of recorded but unincorporated village plats."

Also, "an act to provide for laying out a state road."

JNO., S. BARRY.

The House then went into committee of the whole on the general order, Mr. H. L. Miller in the chair, and after spending some time thereon, the committee rose and by their chairman reported that they had had under consideration a "bill to incorporate the Utica female seminary," and a "bill authorizing executors and administrators to convey lands in certain cases, under the direction of the courts of probate, and to permit sales of real estate at less than the full appraised value in certain cases," which they reported with amendments in which the concurrence of the House was asked.

The amendments to the "bill to incorporate the Utica female seminary" were concurred in, and the bill ordered to be engrossed for a third reading.

The amendments to the "bill authorizing executors and administrators to convey lands in certain cases," &c. were concurred in, and,

On motion of Mr. Ramsdell, the bill was laid on the table.

Mr. Joslin moved to take the "bill supplementary to the act making appropriations on the Central railroad," from the general order, and make it the special order for this evening; which motion was lost.

Mr. Baldwin moved that the "bill providing for the sale of real estate on execution," be taken from the general and made the special order for this evening; which motion did not prevail.

On motion of Mr. H. L. Miller, the House adjourned.

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*Evening Session.*

*Wednesday, March 6, 1844.*

The House met pursuant to adjournment, and on calling the roll, a quorum was present.

Mr. Barnard asked and obtained leave of absence for Mr. Pratt for the evening.

Mr. Videto for Mr. Livermore.

Mr. Joslin for Mr. Vickery.

Mr. Videto for Mr. Delamatter.

Mr. Adams for Mr. Haydon.

Mr. Videto for Mr. D. C. Walker.

Mr. Ruehle asked leave of absence for Mr. Baldwin for the evening, which was refused.

Mr. H. L. Miller moved an adjournment, which was lost.

The House then resolved itself into committee of the whole, on the general order, Mr. Joslin in the chair, and after some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a 'bill to punish certain officers for taking or receiving unlawful fees,' a 'joint resolution rescinding in part the joint resolution prohibiting new contracts on the public works,' a 'joint resolution authorizing the commissioner of the land office to issue a certificate for certain land to A. W. Elmer,' a 'bill to authorize John W. Fallas, and Nathaniel Davenport to build a dam across Flat River in the county of Kent,' a 'bill authorizing the building a dam across the River Raisin,' and a bill in relation to associations formed for banking purposes,' which they reported back without amendment, and a 'bill to provide for the appointment of a commissioner on the southern railroad,' a 'bill to amend an act entitled an act for the relief of certain settlers on university lands in the county of Oakland, approved March 9, 1843,' and a 'bill to amend an act entitled an act to abolish imprisonment for debt, and to punish fraudulent debtors,' which they reported back with amendments, in which the concurrence of the House was asked.

On motion of Mr. Baldwin, the House adjourned.

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*Thursday, March 7, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry and Schoolcraft were absent on leave.

Prayer by Rev. Mr. Harrison.

The journal of yesterday was read and approved.

REPORTS.

Mr. McLeod from the committee on federal relations made the following report :

The committee on federal relations to whom was referred the petition of Luke Mis-kewa-nak and thirty-five others, chiefs and head men of the Ottawa Indians. Also the petition of Henry Smith and fifty other citizens of Hillsdale county, both praying the legislature of

Michigan to take such action as may secure the privileges of American citizenship to a portion of the Ottawas residing on the northwest extremity of the southern peninsula, have given to the subject that consideration which its merits demanded, and have instructed me to make the subjoined report :

The petition, sets forth in concise yet impressive language the desire of the Ottawas of L'Abre Croche to enjoy the rights of American citizens.

The reasons enforcing their prayer are cogent. The motives of the petitioners are energetically portrayed, and both the wish and inducement are likely to meet with sympathy and merit consideration from the representatives of a people who occupy the soil which once was theirs.

Your committee sympathize with the native and would fain subserve the wishes of the petitioners.

Their artless tale is soon told.

"They are few in number—the small remnant of a once powerful nation."

Their manners, informed by civilization and ameliorated by the influences of christianity, disqualify them for the rude and unskilled habits of their natural condition. They have erected comfortable dwellings in imitation of the white men, and are maintaining their families by cultivating the soil.

Your committee would respectfully recommend the adoption of the following joint resolution, and ask to be discharged from further consideration of this subject.

The report was accepted, the committee discharged, and the "joint resolution relative to certain Ottawa Indians residing at L'Arbre Croche on Lake Michigan," was read twice, when

Mr. Murphy moved that the report and joint resolution be printed, which was lost.

On motion of H. N. Walker, the rule was suspended and the joint resolution ordered to be engrossed for a third reading.

Mr. Mosher, from the committee on engrossment and enrolment, reported as correctly enrolled a "joint resolution authorizing the commissioner of the land office to issue a certificate to Samuel Morgan for certain land," and that the same has been this day presented to the governor for approval.

Also from the same committee reported as correctly engrossed :

"A bill to incorporate the Utica female seminary;"

"A bill to incorporate the Detroit and Grand River plank road company;"

"A bill to define and protect the rights of married women;" and

"A joint resolution proposing an amendment to the constitution."

#### MOTIONS, RESOLUTIONS, AND NOTICES.

On motion of Mr. Murphy, Charles Butler had leave to withdraw his claim.

Mr. Ramsdell from the committee on the judiciary to whom was referred the Senate "bill to amend an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings," approved April 9, 1841, reported the same back with a substitute therefor.

The report was accepted, the committee discharged and the bill referred to the committee of the whole.

Mr. Barnard, on leave, presented the petition of Almon Whipple and fifty-two others, citizens of Livingston county, in relation to the construction of a ship canal around the falls of Ste Marie. Referred to the committee on internal improvement.

Mr. H. L. Miller offered the following resolution:

*Resolved*, That the committee of ways and means be, and they are hereby required to report an appropriation for the payment of the clergy who have officiated as chaplains to this House during the present session. Said appropriation not to exceed three dollars per day for each of the officiating clergy.

Mr. Murphy moved to amend by striking out 'three' and inserting 'two;' which motion was lost.

Mr. Saunders moved to lay the resolution on the table; which motion did not prevail.

The resolution was then rejected, by the following vote :

#### YEAS.

Mr. Ames,  
Fairfield,  
M. Hall,  
Haydon,  
Leland,

Mr. McLeod,  
H. L. Miller,  
Parmelee,  
Porter,  
Ramsdell,

Mr. Van Huse,  
H. N. Walker,  
White,  
Speaker,

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#### NAYS.

Mr. Adams,

Mr. Joslin,

Mr. Rix,

Barnard,	Knight,	Rowland,
Baldwin,	Knowlton,	Runyan,
Blindbury,	Lamond,	Saunders,
Chester,	Livermore,	Sheldon,
Davis,	O. Miller,	Shurtz,
Delamatter,	Mosher,	Snell,
Dunham,	Murphy,	Stone,
Ferguson,	P. Power,	Tillson,
Griffin,	R. D. Power,	Videto,
Hawley,	Pratt,	Vickery,
Hebard,	Ruehle,	D. C. Walker, 36

THIRD READING OF BILLS.

The "joint resolution relative to certain Ottawa Indians residing at L'Arbre Croche, on Lake Michigan," was read a third time and passed.

The "joint resolution proposing an amendment to the constitution," was read a third time, and,

On motion of Mr. Ramsdell, laid on the table.

The "bill to define and protect the rights of married women," was read the third time, when

Mr. D. C. Walker asked and obtained leave to offer the following amendment: Strike out of the twelfth line of section two, the word 'threat;' which amendment prevailed.

The bill was then passed, by the following vote:

YEAS.

Mr. Adams	Mr. Lamond,	Mr. Ruehle,
Chester,	Leland,	Rowland,
Delamatter,	Livermore,	Runyan,
Griffin,	McLeod,	Saunders,
M. Hall,	H. L. Miller,	Shurtz,
Haydon,	Mosher,	Stone,
Hebard,	Parmelee,	Videto,
Joslin,	P. Power,	H. N. Walker,
Knight,	Porter,	White,
Knowlton,	Pratt,	29

NAYS.

Mr. Ames,	Mr. H. Hall,	Mr. Sheldon,
Barnard,	Hawley,	Snell,
Baldwin,	O. Miller,	Tillson,
Blindbury,	Murphy,	Vickery,
Davis,	R. D. Power,	Van Huse,
Dunham,	Ramsdell,	D. C. Walker,
Fairfield,	Rix	Speaker,
Ferguson,		23

The 'bill to incorporate the Detroit and Grand River plank road company' was read the third time and passed by yeas and nays as follows:

## YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Runyan,
Ames,	Knowlton,	Saunders,
Barnard,	Lamond,	Sheldon,
Baldwin,	Leland,	Shurtz,
Blindbury,	Livermore,	Snell,
Chester,	McLeod,	Stone,
Davis,	O. Miller,	Tillson,
Dunham,	H. L. Miller,	Videto,
Ferguson,	Murphy,	Vickery,
Griffin,	P. Power,	Van Husan,
H. Hall,	R. D. Power,	D. C. Walker,
M. Hall,	Pratt,	H. N. Walker,
Hawley,	Ruehle,	White,
Haydon,	Rix,	Speaker,
Hebard,	Rowland,	

44

## NAYS.

Mr. Fairfield,	Mr. Parmelee,	Mr. Ramsdell,
Knight,	Porter,	

5

The 'bill to facilitate the study of anatomy, and to repeal chapter two, part one, title eight of the revised statutes, relative to medical societies,' was read the third time and passed by the following vote:

## YEAS.

Mr. Barnard,	Mr. Knight,	Mr. Rix,
Baldwin,	Lamond,	Sheldon,
Chester,	Leland,	Shurtz,
Dunham,	Livermore,	Snell,
Ferguson,	Mosher,	Stone,
Griffin,	Murphy,	Tillson,
M. Hall,	Parmelee,	D. C. Walker,
Hawley,	P. Power,	H. N. Walker,
Haydon,	Porter,	White,
Hebard,	Ruehle,	Speaker,
Joslin,		

31

## NAYS.

Mr. Adams,	Mr. Knowlton,	Mr. Ramsdell,
Ames,	McLeod,	Runyan,
Blindbury,	O. Miller,	Saunders,
Davis,	H. L. Miller,	Videto,
Fairfield,	R. D. Power,	Vickery,
H. Hall,	Pratt,	Van Husan,

18

The question being on the title,



Mr. Fairfield proposed to strike it out, and insert the words 'a bill to appropriate the bodies of the poor for the benefit of science.'

Mr. H. N. Walker moved to amend the amendment by inserting after the word 'poor,' the word 'villains,' which prevailed.

Mr. Pratt offered the following substitute for the amendment: 'A bill ostensibly to prevent physicians from robbing grave yards, and for other purposes,' which substitute was lost.

The question then recurring on the motion of Mr. Fairfield, as amended, it was lost, and the original title was adopted.

The 'bill to incorporate the Utica Female seminary,' was read a third time and passed by the following vote:

## YEAS.

Mr. Adams,	Mr. Knowlton,	Mr. Rowland,
Ames,	Lamond,	Runyan,
Barnard,	Leland,	Saunders,
Baldwin,	Livermore,	Sheldon,
Blindbury,	McLeod,	Sturtz,
Chester,	O. Miller,	Snell,
Davis,	H. L. Miller,	Stone,
Ferguson,	Mosher,	Tillson,
Griffin,	Murphy,	Videto,
H. Hall,	Parmelee,	Vickery,
M. Hall,	P. Power,	Van Huse,
Hawley,	Porter,	D. C. Walker,
Haydon,	Pratt,	White,
Hebard,	Ruehle,	Speaker,
Joslin,	Rix,	

44

## NAYS.

Mr. Fairfield,	Mr. Knight,	Mr. Ramadell,	3
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## UNFINISHED BUSINESS.

The House took up the 'bill to punish certain officers for taking or receiving unlawful fees.'

On motion of Mr. H. N. Walker, the following section was added to the bill:

Sec. That it shall be competent for the supreme court and court of chancery, to award such costs to the successful party on any motion or proceeding had in any suit in said courts, or either of them as may be deemed just and proper by the court before whom the same is heard and determined.

The bill was then ordered to be engrossed for a third reading.

The 'joint resolution authorizing the commissioner of the land of-

file to issue a certificate for certain land to A. W. Elmer,' being under consideration,

Mr. Baldwin moved to strike out all after the resolving clause, which motion was subsequently withdrawn, when,

Mr. H. L. Miller renewed the motion, when it was put and lost.

The joint resolution was then ordered to be engrossed for third reading, and the rule being suspended,

It was read a third time and passed.

The 'bill in relation to associations formed for banking purposes,' was ordered to a third reading, the rule suspended, and,

It was read a third time and passed by the following vote:

#### YEAS.

Mr. Adams,	Mr. Joslin,	Mr. Ramsdell,
Ames,	Knight,	Rix,
Barnard,	Knowlton,	Rowland,
Baldwin,	Lamond,	Runyan,
Blindbury,	McLeod,	Stone,
Davis,	H. L. Miller,	Tillson,
Dunham,	Mosher,	Van Huse,
Ferguson,	R. D. Power,	D. C. Walker,
H. Hall,	Porter,	H. N. Walker,
Hawley,	Pratt,	Speaker, 30

#### NAYS.

Mr. Chester,	Mr. Leland,	Mr. Snell,
Fairfield,	O. Miller,	Videto,
Griffin,	Ruehle,	Vickery,
Haydon,	Saunders,	White, 12

The amendment made in committee of the whole to the 'bill to amend an act entitled an act to abolish imprisonment for debt, and to punish fraudulent debtors,' striking out all after the enacting clause, was concurred in.

The 'bill authorizing the building a dam across the River Raisin,' was ordered to be engrossed for a third reading, the rule suspended, and the bill read a third time and passed.

On motion of Mr. Chester, the 'bill to provide for the appointment of a commissioner on the Southern railroad,' was laid on the table.

The amendments made in committee of the whole to the 'bill to amend an act entitled an act for the relief of certain settlers on university lands in the county of Oakland, approved March 9, 1843,' were severally non-concurred in, and

On motion of Mr. Joslin, the following proviso was added to the first section: 'Provided, the aforesaid persons avail themselves of this section within six months from the passage of this act'

On motion of Mr. Pratt, the bill was then laid on the table.

The 'bill to authorize John W. Fallas and Nathaniel Davenport to build a dam across Flat River, in the county of Kent,' was ordered to a third reading, the rule suspended, and the bill read a third time and passed.

The House then took up the 'joint resolution rescinding in part the joint resolution prohibiting new contracts on the public works,' and

On motion of Mr. H. N. Walker, the third line was amended by inserting after the word 'hereby,' the words 'in their discretion.'

On motion of Mr. White, the joint resolution was laid on the table.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Detroit, March 7, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, 'an act to attach the counties of Kent and Ottawa to the third judicial circuit.'

Also, a joint resolution appointing Z. Curtis a commissioner to lay out a certain state road.' Also, a 'joint resolution.'

JNO. S. BARRY.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Detroit, March, 7, 1844. }

*To the House of Representatives:*

I herewith transmit a copy of a letter from the chancellor and presiding judge of the first circuit, in which they decline to act as members of the council created for the revision of the statutes, by the act in relation to that subject, passed at the present session of the legislature.

JNO. S. BARRY.

The letter transmitted was read and laid on the table.

The Speaker announced the reception of the following message from the Senate:

SENATE CHAMBER, }  
March 7, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate, to return the 'bill for the relief of Lucy Stephens,' the 'bill to authorize the supervisors of Kent county to build a free bridge across Grand river at Grand Rapids,' and the 'bill to incorporate the Detroit and Port Huron plank road company,' and to respectfully inform you that the Senate have concurred therein.

Also, to transmit a 'joint resolution relative to certain claims,' which the Senate have adopted and respectfully ask the concurrence of the House therein.

Also, to return the 'joint resolution rescinding in part a joint resolution prohibiting new contracts on public works,' with a substitute thereto which the Senate have passed, entitled 'a bill making appropriations on the St. Joseph river,' and respectfully ask the concurrence of the House therein.

Also, to transmit 'a bill to authorize Anne Duval a minor to sell and convey certain real estate,' which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also, to inform the House that the Senate have concurred in the House substitute to the 'joint resolution relative to the claims of C. W. Chapel and John F. Hamlin,' and have ordered the same to be enrolled.

JAMES E. PLATT,  
*Secretary of the Senate.*

The 'bill for the relief of Lucy Stephens ;'

The 'bill to authorize the supervisors of Kent county to build a free across Gand river at Grand Rapids ;' and,

The 'bill to incorporate the Detroit and Port Huron plank road company,' were ordered to be enrolled.

The 'joint resolution relative to certain claims ;' and,

The 'bill to authorize Anne Duval, a minor, to sell and convey certain real estate,' were severally read twice, and referred to the committee of the whole.

The Senate substitute for the 'joint resolution rescinding in part, a

joint resolution prohibiting new contracts on public works,' being under consideration,

Mr. Joslin moved to lay it on the table, which motion did not prevail.

On motion of Mr. Joslin, the words 'not bearing interest' were inserted after the word 'scrip' in the ninth line, and,

The substitute as amended was concurred in.

On motion of Mr. Ramsdell, the 'bill authorizing executors and administrators to convey lands in certain cases, under the direction of the courts of probate,' &c., was recommitted to the committee on the judiciary.

On motion of Mr. D. C. Walker, the "bill to amend an act entitled 'an act relative to the auditor general and state treasurer and the offices of both,' approved April 1st 1840," and the 'bill to provide for the payment of the current expenses of the state for the year 1844,' were taken from the table and made the special order for to-day.

The House then resolved itself into committee of the whole on the special order, Mr. McLeod in the chair and after a short time spent thereon the committee rose and by their chairman reported that they had had under consideration a "bill to amend an act entitled an act relative to the auditor general and state treasurer and the offices of both, approved April 1st, 1840," to which they had made sundry amendments, in which the concurrence of the House was asked.

The amendments were concurred in.

On motion of Mr. Joslin the words "six hundred and seventy-five" in section 4, were stricken out, and "seven hundred" was inserted.

On motion of Mr. Livermore, leave of absence for the remainder of the session was granted to Mr. Dunham.

On motion of Mr. Stone leave of absence was granted to Mr. Shurtz for the remainder of the session.

Mr. Joslin asked and obtained leave of absence for the afternoon for Mr. Vickery.

On motion of Mr. H. L. Miller, the House adjourned.

#### *Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll Messrs. Berry, Dunham, Schoolcraft, Shurtz and Vickery were ab-

sent on leave, and Messrs. Barnard, Blindbury, Griffin, Haydon, Hebard, Knowlton, Leland, McLeod, Murphy, P. Power, R. D. Power, Pratt and Rowland, were absent without leave.

The House resumed the consideration of the "bill to amend an act entitled an act relative to the auditor general and state treasurer, and the offices of both, approved April 1st, 1840."

Mr. H. L. Miller moved to strike out of the third line of section 1, the word "seven" and insert "six" and strike out the word "six" in the same line, and insert "five" which motion was lost.

The bill was then ordered to be engrossed for a third reading.

The House then resolved itself into committee of the whole on the "bill to provide for the payment of the current expenses of the state for the year 1844," Mr. Baldwin in the chair, and after some time spent thereon the committee rose and reported the bill back with sundry amendments in which the concurrence of the House was asked.

The amendments were concurred in.

Mr. Rowland moved to amend the sixth section by striking out, after the word 'Mack,' the words 'one hundred and fifty,' and inserting 'one hundred,' and striking out, after the word 'Pease,' the words 'two hundred,' and inserting 'one hundred and fifty;' which motion prevailed.

Mr. Rowland moved to strike out the 4th section of the bill; which motion was lost, by the following vote:

#### YEAS.

Mr. Adams,	Mr. Griffin,	Mr. Pratt,
Barnard,	Leland,	Rowland,
Baldwin,	Mosher,	Runyan,
Blindbury,	P. Power,	Snell,
Davis,	R. D. Power,	Stone,
		15

#### NAYS.

Mr. Ames,	Mr. Livermore,	Mr. Sheldon,
Delamatter,	O. Miller,	Tillson,
H. Hall,	H. L. Miller,	Videto,
Hawley,	Murphy,	D. C. Walker,
Hebard,	Porter,	H. N. Walker,
Joslin,	Ruehle,	White,
Knight,	Rix,	Speaker,
Knowlton,	Saunders,	23

Mr. Hawley moved to strike out of the fifth section all after the word "state," in the fourth line; which motion was subsequently withdrawn.

Mr. H. L. Miller moved to insert after the word 'state,' in the 12th line, the words 'seven hundred dollars, and for the salaries of;' which motion was lost.

The bill was then ordered to be engrossed for a third reading.

The House then went into committee of the whole on the general order, Mr. Rowland in the chair; and after some time spent thereon, the committee rose, and, by their chairman, reported that they had had under consideration "a joint resolution relative to the construction of a military road from Fort Gratiot to Grand river;" "a bill to provide for laying out a state road from Lexington to Point au Barque;" "a bill to amend part three, title two, chapter four, section twenty-eight of the revised statutes;" which they reported back without amendment. And "a bill to provide for establishing and improving the Pontiac and Grand river road;" "a bill to provide for the laying out of a state road and for other purposes;" "a joint resolution authorizing the governor to appoint an agent to take charge of certain state property;" "a joint resolution authorizing the board of state auditors to settle the claim of Charles M. Maynard;" "a bill to fix the rates of toll for the use of the southern railroad;" "a bill to amend an act entitled 'an act to provide for the equitable settlement of the estates of deceased persons,' approved March 8, 1843;" "a bill to amend an act relative to common or primary schools," approved March 8, 1843; which they reported back with sundry amendments, in which the concurrence of the House was asked.

The amendments to the "bill to provide for establishing and improving the Pontiac and Grand river road," were concurred in, and the bill ordered to be engrossed for a third reading.

The "bill to provide for laying out a state road from Lexington to Point au Barque," and the "joint resolution in relation to the construction of a military road from Fort Gratiot to Grand river," were severally ordered to a third reading.

The amendments to the 'bill to provide for the laying out of a state road, and for other purposes,' were concurred in, and the bill ordered to a third reading.

On motion of Mr. Joslin, the 'joint resolution authorizing the Governor to appoint an agent to take charge of certain state property,' was laid on the table.

On motion of Mr. Rix, the House adjourned.

*Evening Session.*

The House met pursuant to adjournment, and, on calling the roll, a quorum was present.

Mr. Blindbury asked and obtained leave of absence for Mr. Saunders for the evening.

Mr. White for Mr. Van Husan for the same time.

Mr. Adams for Mr. Ames for the same time.

The amendments (striking out all after the enacting clause) made in committee of the whole, to the 'bill to amend an act entitled an act to provide for the equitable settlement of the estate of deceased persons, approved March 8, 1843,' to the 'bill to fix the rates of toll for the use of the southern railroad,' and to the 'joint resolution authorizing the board of state auditors to settle the claim of Charles M. Maynard,' were severally concurred in.

The amendments made in committee of the whole to the 'bill to amend an act relative to common or primary schools, approved March 8, 1843,' were concurred in, and the bill ordered to be engrossed for a third reading.

The 'bill to amend part three, title two, chapter four, section twenty-eight of the revised statutes' was ordered to be engrossed for third reading.

The special order of the evening, being the 'bill to abolish capital punishment' was,

On motion of Mr. Mac Leod, laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. D. C. Walker in the chair, and after a short time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a 'bill to provide for the preservation of deer,' which they reported back with sundry amendments in which the concurrence of the House was asked.

The amendments were concurred in, when

Mr. Chester moved to strike out all after the enacting clause, which motion was lost.

Mr. Joslin moved to lay the bill on the table, which motion was lost.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Rowland the 'bill to abolish capital punishment,' was taken from the table,



Mr. Baldwin moved to strike out all after the enacting clause, which motion prevailed by the following vote:

YEAS.

Mr. Adams,	Mr. Lamond,	Mr. Rowland,
Baldwin,	Leland,	Saunders,
Blindbury,	McLeod,	Sheldon,
Chester,	H. L. Miller,	Snell,
Davis,	Mosher,	Stone,
Dunham,	Murphy,	Videto,
H. Hall,	Parmelee,	Vickery,
M. Hall,	Porter,	Van Husan,
Hawley,	Ramsdell,	D. C. Walker,
Haydon,	Ruehle,	H. N. Walker,
Hebard,	Rix,	White,
Joslin,		

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NAYS.

Mr. Barnard,	Mr. Knight,	Mr. R. D. Power,
Delamatter,	Knowlton,	Pratt,
Ferguson,	P. Power,	Speaker,
Griffin,		

10

On motion of Mr. Rowland, the 'joint resolution proposing an amendment to the constitution,' was taken from the table.

Mr. Van Husan moved an adjournment, which was lost.

Mr. Ramsdell moved to lay the joint resolution on the table, which did not prevail.

Mr. Chester moved that it be indefinitely postponed.

Mr. Murphy moved to lay that motion on the table, which motion was lost.

Mr. Pratt moved to lay the joint resolution on the table, which did not prevail.

Mr. Van Husan moved an adjournment, which was lost.

The question then recurring on the motion to indefinitely postpone,

Mr. Murphy moved an adjournment, which was lost.

After some further debate, the Speaker directed the roll to be called, when a quorum not being present, the House adjourned.

*Friday, March 8, 1844.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry, Dunham, Schoolcraft and Shurtz, were absent on leave, and Messrs. Ames, M. Hall, McLeod and O. Miller, were absent without leave.

Prayer by the Rev. Mr. Harrison.

The journal of yesterday was read and approved.

Mr. Adams asked and obtained leave of absence for Mr. Ames, for the day.

#### REPORTS.

Mr. Vickery, from the committee on claims, reported a "bill to provide for the payment of certain claims," which was read twice, referred to the committee of the whole and ordered printed.

Mr. Ramsdell, from the committee on the judiciary, made the following report :

The committee to whom was recommitted a bill authorizing executors and administrators to convey lands in certain cases and for other purposes, have had the same under consideration and have directed me to report the same back without amendment, and recommend the passage of the same.

The report was accepted, the committee discharged, and the bill placed among the unfinished business.

Mr. Vickery, from the committee on claims, made the following report :

The committee on claims, to whom was referred a joint resolution relative to a settlement with C. W. Millerd, report : That they do not feel warranted on the ex parte testimony submitted, to recommend the passage of the said resolution, and therefore ask to be discharged from its further consideration.

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Also, from the same committee, made the following report, which was accepted and the committee discharged :

The committee to whom was referred the claim of James King-land, for services as engineer on the Southern railroad, have ascertained that this claim has been allowed by the board of internal improvement, and therefore ask to be discharged from the consideration a subject that does not belong to them.

Also, from the same committee, to whom was referred the claim of Williams and Cole, reported adverse to the allowance thereof.

The report was accepted, and the committee discharged.

Also, from the same committee made the following report :

The committee on claims, to whom was referred a 'joint resolution relative to the return of money to Jacob Beeson,' herewith report the same back to the House, and recommend the following amendments to be added to the said resolution:

And *Provided*, also, that the said Beeson first pay into the state treasury the amount due on a certain promissory note, drawn by him on the 23d day of February, 1839, for the sum of \$501 87, and payable to the order of John Almy.'

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Also, from the same committee, made the following report:

The committee on claims, to whom has been referred a 'joint resolution relative to the claim of Ebenezer Wesbrook,' report, that they have received no additional information that would authorize them to change their opinion on this subject, and therefore recommend again, that said resolution be amended by striking out of the sixth and seventh lines, the words 'the sum of one hundred and twenty-five,' and inserting in 'a sum not exceeding sixty.' The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole.

Mr. Rowland, on leave, presented the claims of George Coombs, and of C. Morse, which were referred to the committee on claims :

Mr. Pratt, from the committee on enrollment, reported as correctly enrolled 'a bill to incorporate the Detroit and Port Huron plank road company;' 'a bill for the relief of Lucy Stevens;' 'a bill to authorize the supervisors of Kent county to build a free bridge across Grand River, at Grand Rapids;' and 'a bill to establish a land office, to prescribe and regulate the disposition of the public lands, and for other purposes,' and that the same have been this day presented to the governor for his approval.

Also, from the same committee, reported as correctly engrossed,

'A bill to provide for the current expenses of the state for the year 1844;'

'A bill to amend an act entitled an act relative to the auditor general and state treasurer, and the offices of both, approved April 1, 1840;'

'A bill to amend an act relative to common or primary schools, approved March 8, 1843;'

"A bill to provide for the preservation of deer;"

"A bill to amend part 3, title 2, chapter 4, section 28, of the revised statutes;" and

"A bill to punish certain officers for taking or receiving unlawful fees and for other purposes."

Mr. Baldwin from the committee on the organization of towns and counties, to whom was referred the Senate "bill to re-attach certain townships to the county of Lapeer," reported the same back with amendments.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Baldwin moved that the bill and amendments be ordered printed, which motion was lost.

Mr. H. L. Miller from the committee of conference on the "bill to amend section 6, chapter 2, title 7, part 2d of the revised statutes," made the following report :

The committee of conference on the disagreement between the two houses on the "bill to amend section six, chapter two, title seven, part second, of the revised statutes," recommend that the House recede from their non-concurrence to the second Senate amendment thereto; and that the Senate amendment be amended by inserting in section two, line nine, after the word "may" the words "be decreed," and that the Senate amendment, with that amendment, be concurred in.

The report of the committee was adopted by the House.

Mr. Pratt from the committee of conference to whom was referred the matter of disagreement between the two Houses on the bill to incorporate the Detroit and Birmingham plank road company, reported the following amendments to the bill :

In section 2, first line, strike out "sixty" and insert "fifty."

In section three, first line, strike out the words "improvement of," and insert the words "construction of a plank road on," also in tenth line, same section, strike out the words "decreed to be."

In section four strike all out of the section as far and including the word 'year' in the seventh line, and insert in place thereof the following: 'The said company shall be and is hereby authorized to construct a plank road on the Saginaw turnpike, from the Grand Circus, in the city of Detroit, to Birmingham, in the county of Oakland; said road to be built of good sound plank, and not less than eighteen feet long, and in such a manner as to make a good road at all seasons of the year.'

In section six, first and second lines, strike out the words 'or eight miles thereof;' and insert the words 'or nine mile thereof;' and in the same section, line nine, strike out 'direct' and insert 'erect.'

Strike out section 14, and insert the following to stand in place thereof:

'The said company, in the construction of said plank road, shall not allow any obstructions or difficulties to prevent or interfere with the travel on said turnpike, except such as are necessary and unavoidable, nor shall this act be construed in such a manner as to interfere in any way with the provisions of law now in force for keeping said turnpike road in repair until such plank road shall be completed.'

In section seven, line one strike out the word 'eight' and insert 'nine.'

The report was adopted by the House.

Mr. Murphy asked leave to introduce a 'bill to incorporate the Kalamazoo and St. Joseph railroad company,' which was refused.

The following communication was received from the Senate:

SENATE CHAMBER, }  
March 7, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the 'bill to amend an act entitled an act to abolish the office of county commissioners and for other purposes, approved February 10, 1842,' and to inform the House that the Senate have passed the same.

Also, to return the 'bill to authorize James Miller to build a dam across the Clinton river, in the county of Macomb,' which the Senate have passed with an amendment, in which they respectfully ask the concurrence of the House.

Also, to transmit a 'bill to provide for improving the navigation of the Shiawassee river,' which the Senate have passed and respectfully ask the concurrence of the House therein.

Also, to return the 'bill making an appropriation on the St. Joseph river,' and to inform the House that the Senate have concurred in the House amendments thereto.

JAS. E. PLATT,

*Secretary of the Senate.*

The 'bill to amend an act entitled an act to abolish the office of county commissioner, and for other purposes, approved February 10, 1842,' and the 'bill making an appropriation on the St. Joseph river' were ordered to be enrolled.

The amendment to the "bill to authorize James Miller to build a dam across the Clinton river, in the county of Macomb," was concurred in and the bill ordered to be enrolled.

The "bill to provide for improving the navigation of the Shiawassee river," was read twice and referred to the committee on internal improvement.

The following communication was received from the Senate:

SENATE CHAMBER, }  
March 7, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "a bill to amend chapter three, title one, part three of the revised statutes, and for other purposes," which the Senate have passed and respectfully ask the concurrence of the House therein.

Also, to return the "bill to incorporate the Cottonwood swamp turnpike company," which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

JAMES E. PLATT,  
*Secretary of the Senate.*

The "bill to amend chapter three, title one, part third of the revised statutes, and for other purposes," was read twice and referred to the committee on the judiciary.

The amendments to the "bill to incorporate the Cottonwood swamp turnpike company," were concurred in and the bill ordered to be enrolled.

Mr. Baldwin offered "a joint resolution relative to the distribution of the session laws, journals," &c. which was read twice, and,

On motion of Mr. D. C. Walker,

The rule was suspended and the joint resolution was ordered to be engrossed for a third reading.

On motion of Mr. Joslin,

The "bill supplementary to the act making appropriations on the Central railroad," was taken from the general order and made the special order for to-day.

Mr. D. C. Walker moved that the "bill to reattach certain townships to the county of Lapeer," be taken from the general order and made the special order for to-day; which motion was lost.

The following message was received from the Governor:

EXECUTIVE OFFICE, }  
 Detroit, March 8, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act to lay out, establish and provide for the construction of a state road from the village of Battle Creek, through the village of Hastings, to intersect the Grand river and Kalamazoo road."

Also, "an act to provide for the construction and improvement of the road running from Allegan, in the county of Allegan, to Grandville, in the county of Kent."

Also, "an act to provide for the laying out and establishing certain state roads."

JOHN S. BARRY.

#### THIRD READING OF BILLS.

The "joint resolution relative to the distribution of the session laws, journals," &c. and the "bill to provide for the laying out of a state road and for other purposes," were severally read a third time and passed.

The "bill to provide for establishing and improving the Pontiac and Grand river road," was read the third time, and,

On motion of Mr. Ferguson the blank in the first section was filled with the following, "James M. Willcox of Genesee county, Bormond Dennis of Shiawassee, and Orange Ferguson of Clinton."

The bill was then passed.

The "joint resolution in relation to the construction of a military road from Fort Gratiot to Grand River," was read a third time and the question being on its passage it was lost.

The "bill to provide for laying out a state road from Lexington to Point au Barque,"

The "bill to punish certain officers for taking or receiving unlawful fees and for other purposes;" and

The "bill to amend part three, title two, chapter four, section 28, of the revised statutes," were severally read the third time and passed.

The "bill to provide for the preservation of deer," was read the third time, and the question being on its passage it was not passed.

The "bill to amend an act entitled an act relative to the auditor general and state treasurer, and the offices of both, approved April 1, 1840," was read the third time and passed.

The "bill to provide for the current expenses of the state for the year 1844," was read the third time, when

Mr. Barnard asked and obtained the unanimous consent of the House to offer the following amendment :

Strike out after "Pease" the words "one hundred and fifty," and insert "two hundred," which amendment was lost.

The bill was then passed.

#### UNFINISHED BUSINESS.

The "bill authorizing executors and administrators to convey lands in certain cases, under the direction of the courts of probate," &c., was ordered to be engrossed for a third reading.

The "joint resolution authorizing the governor to appoint an agent to take charge of certain state property," being under consideration,

Mr. H. L. Miller moved to lay it on the table, which motion was lost.

The resolution was then ordered to a third reading.

The House took up the "bill to provide for the appointment of a commissioner on the Southern railroad;" and

On motion of Mr. Stone, the words "or in the happening of any vacancy," were inserted in the seventh line of section 1, after the word "office."

On motion of Mr. Stone, the word "twenty" was stricken out of the second line of section 4 and "forty" inserted.

Mr. Chester offered the following substitute for the bill :

That the superintendent of the Southern railroad be and he is hereby vested with all the powers and duties of the acting commissioner of internal improvement of this state, in all matters and things appertaining in any manner to the Southern railroad, and said super-



intendent shall be entitled to vote with the said board of internal improvement on all questions relating to said road.

Mr. Murphy moved to add the following to said substitute :

" But such superintendent shall not act as president of said board and the governor is hereby authorized and empowered to nominate such superintendent by and with the advice and consent of the Senate," which motion was lost.

The question then recurring on the substitute it was rejected.

On motion of Mr. Joslin, the words "of internal improvement" were stricken out of the second line of the first section, and the words "on Southern railroad" inserted.

Mr. Fairfield moved to strike out of the sixth line of section one, the words "eight hundred" and insert "one thousand," which motion was lost.

The bill was then ordered to be engrossed.

On motion of Mr. Joslin, the engrossment was dispensed with, and the bill read the third time and passed.

The House then took up the "bill to amend an act entitled an act for the relief of certain settlers on university lands in the county of Oakland, approved March 9, 1843 ;" and

On motion of Mr. Pratt the following amendments were made to the bill :

Strike out the name "Dinham" in the fifth line and insert "Dunham:" Insert after the word "section" in the sixth line the following : "To William Maden for the west half of the south west quarter of the same section," Insert after the word "quarter" in the eleventh line the following : "And the south east quarter of the south east quarter:" Strike out the name 'Wilcox' in the seventh line and insert 'Wixon.'"

The bill was then ordered to be engrossed for a third reading.

The House then went into committee of the whole on the special order, being the 'bill supplementary to the act making appropriations on the Central railroad,' Mr. Videto in the chair, and after a short time spent thereon, the committee rose, and by their Chairman reported the bill back with amendments in which the concurrence of House was asked.

The amendments were concurred in.

Mr. H. L. Miller offered the following to stand as section two :

Sec. 2. The said act shall not be construed to affect or impair in any manner the pledges and appropriations of the proceeds of the said Central railroad contained in an act entitled "an act making appropriations on the Central and Southern railroads for the year of our Lord one thousand eight hundred and forty-three, and for other purposes," approved February 21, 1843, and an act entitled "an act to regulate the public debt and to provide for the payment of the interest thereon, and for other purposes," approved March 8th, 1843; nor shall said act be construed to authorize any officer of this state to divert any of the proceeds of said Central railroad from the purposes for which they are specifically pledged in said acts.

Which amendment was lost by the following vote :

## YEAS.

Mr. Adams,	Mr. Griffin,	Mr. R. D. Power,
Barnard,	Knowlton,	Pratt,
Baldwin,	H. L. Miller,	Rowland,
Chester,	Mosher,	Runyan,
Davis,	Murphy,	Snell,
Ferguson,	P. Power,	Stone,
		18

## NAYS.

Mr. Delamatter,	Mr. Livermore,	Mr. Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmeles,	Vickery,
Hawley,	Porter,	Van Huse,
Haydon,	Ramsdell,	D. C. Walker,
Hebard,	Ruehle,	H. N. Walker,
Joslin,	Rix,	White,
Knight,	Saunders,	Speaker,
Leland,	Sheldon,	
		26

Mr. Pratt moved to lay the bill on the table, which motion was lost.

Mr. H. L. Miller moved to insert after the word 'railroad' the words 'for the year 1844,' which motion was lost.

Mr. Murphy moved to add the following proviso to the first section.

*Provided,* Nothing in this act contained shall in any manner contravene the provisions of an act entitled an act to liquidate the public debt and to provide for the payment of the interest thereon and for other purposes, approved March 8th, 1843.

Mr. Joslin moved the previous question, which was demanded, and the main question was ordered to be now put.

The question being on the proviso, offered by Mr. Murphy, it was lost by the following vote :

YEAS.

Mr. Adams,	Mr. Griffin,	Mr. R. D. Power,
Barnard,	Knowlton,	Pratt,
Baldwin,	H. L. Miller,	Rowland,
Chester,	Mosher,	Runyan,
Davis,	Murphy,	Snell,
Ferguson,	P. Power,	Stone,

18

NAYS.

Mr. Blindbury,	Mr. Leland,	Mr. Sheldon,
Delamatter,	Livermore,	Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmelee,	Vickery,
Hawley,	Porter,	Van Hulan,
Haydon,	Ramsdell,	D. C. Walker,
Hebard,	Ruehle,	H. N. Walker,
Joslin,	Rix,	White,
Knight,	Saunders,	Speaker,

27

Mr. H. L. Miller moved a call of the House, which was lost.

Mr. Murphy moved an adjournment which was lost.

The question then being on ordering the bill to a third reading, it was decided in the affirmative by the following vote :

YEAS.

Mr. Blindbury,	Mr. Leland,	Mr. Saunders,
Delamatter,	Livermore,	Sheldon,
Griffin,	Parmelee,	Tillson,
H. Hall,	Porter,	Videto,
M. Hall,	Ramsdell,	Van Hulan,
Hawley,	Ruehle,	D. C. Walker,
Hebard,	Rix,	H. N. Walker,
Joslin,	Rowland,	Speaker,
Knight,	Runyan,	

28

NAYS.

Mr. Adams,	Mr. Knowlton,	Mr. R. D. Power,
Barnard,	McLeod,	Pratt,
Baldwin,	H. L. Miller,	Snell,
Chester,	Mosher,	Stone,
Davis,	Murphy,	Vickery,
Ferguson,	P. Power,	White,
Haydon,		

19

The House then resolved itself into committee of the whole on the general order. Mr. Livermore in the chair, and after a short time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a 'bill to incorporate the peninsular fire and marine insurance company,' and a 'bill to incorpo-

rate the Grand Rapids academy,' which they reported back 'without amendment, and a 'bill to provide for the sale of real estate on execution,' and a 'joint resolution providing for the removal of the seat of government,' which they reported back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Ramsdell, the House adjourned.

### *Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Ames, Berry, Dunham, Schoolcraft and Shurtz were absent on leave, and Messrs. Fairfield, Hebard, Livermore, McLeod, Porter and Ramsdell were absent without leave.

The following message was received from the Senate :

SENATE CHAMBER, }  
March 8, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House that the Senate have concurred in the House amendment to the 'bill to authorize John W. Fallis and Nathaniel Davenport to build a dam across Flat River in the county of Kent,' and have ordered the same to be enrolled.

Also, to return the 'bill to amend section 6; of an act to divide the several counties in this territory into townships and for other purposes, approved April 12, 1827,' and to inform the House that the Senate have concurred therein.

Also, to return the 'joint resolution authorizing the commissioner of the land office to issue certain certificates therein mentioned,' and to inform the House that the Senate have non-concurred therein.

Also to transmit a 'bill to incorporate the Lapeer and Pontine turnpike company,' which the Senate have passed and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The 'bill to amend section six of an act to divide the several counties in this territory into townships. and for other purposes, approved April 12, 1827,' was ordered to be enrolled.

The 'bill to incorporate the Lapeer and Pontine turnpike company' was read twice and referred to the committee on banks and incorporations.

The House then took up the 'joint resolution providing for the removal of the seat of government, and the question being on concurring in the amendments made in committee of the whole, they were concurred in.

Mr. Baldwin moved to strike out the words 'Mackinac alternately,' which motion did not prevail.

On motion of Mr. H. L. Miller, all after the enacting clause was stricken out.

The 'bill to incorporate the Grand Rapids academy,' was ordered to a third reading.

The House then took up the 'bill to incorporate the Peninsular mutual fire and marine insurance company.'

Mr. Baldwin moved to strike out all after the enacting clause, which motion was subsequently withdrawn, when it was renewed by Mr. Joslin,

Mr. D. C. Walker offered the following to stand as an independent section:

'Sec. —. The stockholders of said company shall be personally liable in their individual capacity jointly and severally, for each and every debt or liability of said company, whenever any such debt or liability shall have remained due and unpaid for the period of six months.'

Mr. Murphy moved to amend the proposed section by striking out all after the word 'company,' and insert 'after an execution shall have been returned unsatisfied against said company,' which motion was lost.

The question then recurring on the section offered by Mr. D. C. Walker, it was adopted.

Mr. Joslin then withdrew the motion to strike out all after the enacting clause, when the Speaker called Mr. Rowland to the chair, and

Mr. H. N. Walker renewed the motion to strike out all after the enacting clause.

The Speaker moved to add the following proviso to the section just adopted, which motion was lost:

*Provided*, That the provisions of this section shall only apply, when the company shall contract with the individual insuring that its provisions shall apply.'

Mr. Joslin moved to amend the same section by inserting after the

word 'company,' in the sixth line, the words 'for the term of one year after they cease to be stockholders in said company.'

Mr. H. N. Walker moved to amend the amendment, by striking out 'one year, and inserting 'twenty-one years,' which amendment was accepted by Mr. Joslin, and the amendment as amended prevailed.

The question then recurring on the motion to strike out all after the enacting clause, it was lost by the following vote:

## YEAS.

Mr. Adams, Barnard, Davis, Ferguson, Griffin, H. Hall,	Mr. Joslin, Knowlton, Lamond, Leland, O. Miller, H. L. Miller,	Mr. P. Power, R. D. Power, Ramsdell, Rowland, Tillson, Van Husan, 18
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## NAYS.

Mr. Baldwin, Blindbury, M. Hall, Hawley, Haydon, Hebard, McLeod, Murphy, 22	Mr. Pratt, Ruehle, Rix, Runyan, Saunders, Sheldon, Snell,	Mr. Stone, Videto, Vickery, D. C. Walker, H. N. Walker, White, Speaker,
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The bill was then ordered to be engrossed for a third reading, by the following vote:

## YEAS.

Mr. Adams, Baldwin, Blindbury, Davis, Delamatter, H. Hall, M. Hall, Hawley, Haydon, Hebard,	Mr. Joslin, Lamond, Leland, McLeod, Mosher, Murphy, Pratt, Ruehle, Rix, Rowland,	Mr. Runyan, Saunders, Sheldon, Stone, Videto, D. C. Walker, H. N. Walker, White, Speaker. 29
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## NAYS.

Mr. Barnard, Ferguson, Griffin, Knowlton, O. Miller,	Mr. H. L. Miller, P. Power, R. D. Power, Ramsdell,	Mr. Snell, Tillson, Vickery, Van Husan, 13
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Mr. Ramsdell, from the committee on the judiciary, to whom was referred the Senate "bill to amend chapter three, title one, part three

of the revised statutes, and for other purposes," on leave, reported the same back without amendment and recommended its passage.

The report was accepted, the committee discharged, and,

On motion of Mr. Baldwin,

The rule was suspended and the bill taken up for consideration, and then ordered to a third reading; the rule suspended, read a third time and passed.

The House then took up the "bill to provide for the sale of real estate on execution," and the question being on concurring in the amendments made in committee of the whole, they were non-concurred in by the following vote:

YEAS.

Mr. Chester,	Mr. Joslin,	Mr. Ramsdell,	
Delamatter,	Livermore,	Rix,	
Hawley,	McLeod,	Tillson,	
Haydon,	O. Miller,	Videto,	
Hebard,	Mosher,		14

NAYS.

Mr. Baldwin,	Mr. Murphy,	Mr. Sheldon,	
Blindbury,	R. D. Power,	Snell,	
Davis,	Pratt,	Stone,	
Ferguson,	Ruehle,	Vickery,	
Griffin,	Rowland,	D. C. Walker,	
M. Hall,	Runyan,	White,	
Leland,	Saunders,	Speaker,	
H. L. Miller,			22

Mr. Joslin moved to indefinitely postpone the bill; which motion was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Leland,	Mr. Stone,	
Chester,	Livermore,	Tillson,	
Delamatter,	O. Miller,	Videto,	
Ferguson,	Mosher,	Vickery,	
Griffin,	Ramsdell,	Van Hulan,	
Haydon,	Rix,	White,	
Joslin,	Runyan,		20

NAYS.

Mr. Barnard,	Mr. Knowlton,	Mr. Rowland,	
Baldwin,	Lamond,	Saunders,	
Blindbury,	McLeod,	Sheldon,	
Davis,	H. L. Miller,	Snell,	
H. Hall,	P. Power,	D. C. Walker,	
M. Hall,	R. D. Power,	H. N. Walker,	

Hawley,  
Hebard,

Pratt,  
Ruehle,

Speaker, 23

On motion of Mr. Baldwin,

Section five was amended by inserting after the word 'vendue,' in the first line, the words, 'to the highest bidder.'

On motion of Mr. H. L. Miller,

The word 'presumptive' was stricken out of the fifth line of the seventeenth section, and 'prima facie' inserted.

On motion of Mr. McLeod, the House adjourned.

### *Evening Session.*

The House met pursuant to adjournment, and on calling the roll a quorum was present.

Mr. Hebard asked and obtained leave of absence for Mr. Porter, for the evening.

Mr. Davis, for Mr. Knowlton, for the same time.

Mr. H. Hall, for Mr. Knight, for the same time.

The 'bill to provide for the sale of real estate on execution,' was ordered to be engrossed for a third reading by the following vote :

### YEAS.

Mr. Barnard,  
Baldwin,  
Blindbury,  
Davis,  
Griffin,  
H. Hall,  
Hawley,

Mr. Hebard,  
Lamond,  
Leland,  
P. Power,  
R. D. Power,  
Pratt,  
Ruehle,

Mr. Rowland,  
Saunders,  
Sheldon,  
Snell,  
D. C. Walker,  
H. N. Walker,  
Speaker, 21

### NAYS.

Mr. Adams,  
Ames,  
Chester,  
Delamatter,  
Ferguson,  
M. Hall,

Mr. Haydon,  
Joslin,  
Livermore,  
Mosher,  
Parmelee,  
Ramsdell,

Mr. Rix.  
Runyan,  
Stone,  
Tillson,  
Videto,  
Vickery, 18

Mr. Mosher moved to reconsider the vote by which the House concurred in the amendment (striking out all after the enacting clause) made in committee of the whole to the 'joint resolution authorizing the board of state auditors to settle the claim of Charles M. Maynard,' which motion was lost.

The House then went into committee of the whole on the general order, Mr. H. N. Walker in the chair, and after spending some



time thereon, the committee rose, and by their Chairman reported that they had had under consideration a 'bill to attach the county of Huron to the county of St. Clair, for judicial and other purposes;' a 'bill to amend the charter of the city of Detroit;' a 'bill for the relief of the university of Michigan,' which they reported back without amendment, and a 'bill to change the name of Michigan village;' a 'bill to amend the law in relation to crimes;' a 'joint resolution authorizing the Governor to receive sealed proposals for the sale of the public works of this State;' a 'joint resolution instructing our Senators and requesting our Representatives relative to the admission of Texas into the Union,' which they reported back with amendments in which the concurrence of the House was asked.

The amendments to the 'joint resolution instructing our Senators and requesting our Representatives, relative to the admission of Texas into the union,' were concurred in.

Mr. Hawley moved to strike out of the 16th line of the preamble, the words 'and a violation of the true spirit of the constitution of this union,' which motion was lost. The resolution was then ordered to be engrossed for a third reading.

The amendment (striking out all after the resolving clause) to the 'joint resolution authorizing the governor to receive sealed proposals for the sale of the public works of this state,' was concurred in.

Mr. Ramsdell moved to indefinitely postpone the resolving clause, pending which,

Mr. Pratt moved to lay the resolving clause on the table, which motion was lost.

The question then recurring on the motion to indefinitely postpone, it prevailed.

The amendments to the 'bill to amend the law in relation to crimes,' were concurred in, and the bill ordered to be engrossed for a third reading.

The 'bill for the relief of the university of Michigan' being under consideration,

On motion of Mr. D. C. Walker, the following was inserted as section two:

'SEC. 2. The state treasurer is hereby authorized and directed to cause suitable rooms to be prepared in the building upon said pre-

mises, for the offices of the auditor general and state treasurer, and a session room for the supreme court and court of chancery.'

The bill was then ordered to a third reading.

The amendment to the 'bill to change the name of Michigan village,' was concurred in.

Mr. Joslin moved to strike out all after the enacting clause, which motion was lost.

The bill was then ordered to be engrossed for a third reading.

The 'bill to amend the charter of the city of Detroit,' was ordered to be engrossed for a third reading.

The 'bill to attach the county of Huron to the county of St. Clair for judicial and other purposes,' was ordered to a third reading.

Mr. Videto moved an adjournment, which was lost.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 8, 1844. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to transmit a "joint resolution authorizing the commissioner of internal improvement to lease a certain part of the Southern railroad" which the Senate have adopted and respectfully ask the concurrence of the House therein.

Also to return the "bill to establish a board of county auditors for Wayne county and for other purposes," and to respectfully inform the House that the Senate have concurred in the first amendments made by the House, and have non-concurred in the two last amendments, and ask the appointment of a committee of conference thereon on the part of the House.

Also to return the "bill relative to the registry of certain deeds," which the Senate have passed with an amendment in which they respectfully ask the concurrence of the House.

Also to return the "bill to amend an act entitled an act to provide for the assessment and collection of taxes, approved March 8, 1843," and to respectfully inform the House that the Senate have concurred in the report of the committee of conference thereon.

Also to return the "bill to incorporate the Detroit and Birmingham Plank road company," and to respectfully inform the House that the Senate have concurred in the report of the committee of conference thereon.

Also to return the "bill to amend section 6, chapter 2, title 7, part 2, of the revised statutes," and to respectfully inform the House that the Senate have concurred in the report of the committee of conference thereon.

Also to return the 'bill to provide for the foreclosure of mortgages' and to inform the House that the Senate have passed the same with sundry amendments in which they respectfully ask the concurrence of the House.

Also to inform the House that the Senate have concurred in the House amendments to the 'bill to provide for the laying out a state road and for other purposes;' and the 'bill to provide for establishing and improving the Pontiac and Grand River road,' and have ordered the same as amended to be enrolled.

JAS. E. PLATT,

*Secretary of Senate.*

The 'joint resolution authorizing the commissioner of internal improvement to lease a certain part of the southern railroad' was read twice and referred to the committee on internal improvement.

The Speaker appointed Messrs. H. N. Walker, Rowland and Rix a committee of conference on the part of the House on the disagreement between the two Houses on the 'bill to establish a board of county auditors for Wayne county, and for other purposes.'

The Senate amendments to the 'bill relative to the registry of certain deeds,' were concurred in, and the bill as amended, ordered to be enrolled.

On motion of Mr. Ramsdell, the House adjourned.

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*Saturday, March 9, 1844.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry, Dunham, Schoolcraft and Shurtz, were absent on leave, and Messrs. Adams, Griffin, M. Hall and O. Miller, were absent without leave.

Prayer by Rev. Mr. Harrison.

On motion of Mr. D. C. Walker, the reading of the journal was dispensed with.

Mr. Rix, from the committee on militia, made the following report :

The committee on militia report back the Senate bill to amend the several acts to organize the militia of this state with an amendment and recommend its passage, and the committee ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed :

‘ A bill authorizing executors and administrators to convey lands in certain cases, under the direction of the courts of probate, and to permit sales of real estate at less than the full appraised value in certain cases ;’ ‘ a bill to amend the law in relation to crimes ;’ ‘ a bill to change the name of Michigan village ;’ ‘ a bill to amend an act entitled ‘ an act for the relief of certain settlers on university lands, in the county of Oakland,’ approved March 9th, 1843 ;’ ‘ a bill to amend the charter of the city of Detroit ;’ ‘ a joint resolution instructing our Senators and requesting our Representatives, in Congress, relative to the admission of Texas into the Union ;’ ‘ a bill to provide for the sale of real estate on execution.’

Also, from the same committee, reported as correctly enrolled, ‘ a bill to amend section 6, of an act to divide the several counties of this territory into townships and for other purposes, approved April 12, 1827 ;’ ‘ a bill making an appropriation on the St. Joseph river ;’ ‘ a bill to amend an act entitled an act to abolish the office of county commissioner and for other purposes, approved February 10, 1842 ;’ ‘ a bill to authorize James Miller, his heirs and assigns, to build a dam across Clinton river, in the county of Macomb ;’ ‘ a bill to incorporate the Cotton wood swamp turnpike company,’ and a ‘ bill to amend section six, chapter two, title seven, part second of the revised statutes,’ and that the same have been this day presented to the Governor for his approval.

Mr. Murphy, from the committee on banks and incorporations, to whom was referred the Senate ‘ bill to incorporate the Lapeer and Pontiac turnpike company,’ reported the same back without amendment, and recommended its passage.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Joslin, from the committee on internal improvement, to whom

was referred the Senate 'joint resolution authorizing the commissioner of internal improvement to lease a certain part of the southern railroad;': reported the same back with a substitute therefor.

The report was accepted, the committee discharged, and the joint resolution and substitute referred to the committee of the whole.

Also, from the same committee, to whom was referred the Senate 'bill to provide for improving the navigation of the Shiawassee river,' reported the same back without amendment. The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Vickery, from the committee on claims, made the following report, which report was accepted and the committee discharged :

The committee on claims have considered the account of George Combs, for services rendered and expenses incurred in fitting up book shelves, &c., amounting to \$5 96, and recommend that it be allowed.

Also, the claim of C. Morse, for stationery furnished the supreme court, which the committee allow at \$8 37, having deducted the charge made for penknives.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. H. N. Walker offered a concurrent resolution suspending the tenth joint rule.

The rule requiring concurrent resolutions to lie on the table one day, was suspended, and the resolution taken up for consideration.

On motion of Mr. D. C. Walker,

The words 'until further ordered by the legislature,' were stricken out, and the words 'for this day,' inserted.

The resolution was then adopted.

Mr. Stone asked and obtained leave of absence for Mr. White, for the day.

Mr. H. N. Walker for Mr. H. L. Miller, for the same time.

Mr. Rowland, on leave, presented the claims of A. H. Newbould, of C. Morse, of A. McFarren and of Thomas Hall. Referred to the committee on claims.

Mr. D. C. Walker, on leave, presented the claim of Henry E. Perry. Referred to the committee on claims.

Mr. H. L. Miller, on leave, presented the claim of Thomas Row-

land, postmaster, for postage. Referred to the committee on claims.

Mr. Videto offered "a joint resolution relative to the possession and occupation of Oregon," which was read twice and referred to the committee of the whole.

On motion of Mr. Stone, Nathan N. Kendall had leave to withdraw his claim.

On motion of Mr. Ramsdell, Charles M. Maynard had leave to withdraw his claim.

Mr. H. N. Walker, from the committee on public lands, on leave, reported "a joint resolution authorizing the resurvey of East Battle Creek," which was read twice, when,

On motion of Mr. Baldwin, the rule was suspended and the joint resolution taken up for consideration.

On motion of Mr. M. Hall, the words 'and instructed' were inserted after the word 'authorized.'

The resolution was then ordered to be engrossed for a third reading.

On motion of Mr. D. C. Walker, leave was granted to Daniel Thurston to withdraw his claim.

On motion of Mr. Ramsdell, Thomas G. Davis had leave to withdraw his claim.

On motion of Mr. D. C. Walker, Porter Kibbee had leave to withdraw his claim.

#### THIRD READING OF BILLS

The 'joint resolution authorizing a resurvey of East Battle Creek;' and the 'bill authorizing executors and administrators to convey land in certain cases, under the direction of courts of probate, and to permit sales of real estate at less than the full appraised value, in certain cases, were severally read the third time and passed.

The 'joint resolution instructing our Senators and requesting our Representatives relative to the admission of Texas into the Union,' was read the third time and passed by the following vote:

#### YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Chester,  
Delamatter,  
Griffin,  
M. Hall,  
Hawley,

Mr. Knight,  
Leland,  
McLeod,  
Mosher,  
Murphy,  
Parmelee,  
R. D. Power,  
Porter,

Mr. Rowland,  
Runyan,  
Snell,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,

Haydon, Hebard, Joslin,	Pratt, Ramsdell, Rix,	White, Speaker,	32
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NAYS.

Mr. Baldwin, Blindbury, Davis, Fairfield, Ferguson,	Mr. H. Hall, Knowlton, Lamond, Livermore, H. L. Miller,	Mr. P. Power, Ruehle, Saunders, Sheldon, Stone,	15
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The 'bill to amend the charter of the city of Detroit,' was read the third time and passed by yeas and nays as follows:

YEAS.

Mr. Adams, Baldwin, Blindbury, Chester, Davis, Delamatter, Ferguson, Griffin, H. Hall, M. Hall, Hawley, Haydon, Hebard, Joslin,	Mr. Knight, Knowlton, Leland, Livermore, McLeod, H. L. Miller, Mosher, Murphy, Parmelee, P. Power, R. D. Power, Porter, Pratt, Ruehle,	Mr. Rix, Rowland, Runyan, Saunders, Sheldon, Snell, Stone, Tillson, Vickery, Van Huse, D. C. Walker, H. N. Walker, White, Speaker,	42
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NAYS.

Mr. Barnard,	Mr. Ramsdell,	Mr. Videto,	3
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The 'bill to amend the law in relation to crimes,' was read the 3rd time and passed.

The 'bill to provide for the sale of real estate on execution,' was read the third time, and the question being on its passage, it was lost by the following vote.

YEAS.

Mr. Barnard, Baldwin, Blindbury, Davis, H. Hall, Hawley, Hebard,	Mr. McLeod, H. L. Miller, P. Power, R. D. Power, Pratt, Ruehle, Rowland,	Mr. Saunders, Sheldon, Snell, D. C. Walker, H. N. Walker, Speaker,	20
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NAYS.

Mr. Adams, Ames, Chester,	Mr. Joslin, Knight, Knowlton,	Mr. Ramsdell, Rix, Runyan,
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Delamatter,	Lamond,	Stone,
Fairfield,	Leland,	Tillson,
Ferguson,	Livermore,	Videto,
Griffin,	Mosher,	Vickery,
M. Hall,	Parmelee,	Van Husan,
Haydon,	Porter,	White,
		27

The 'bill to amend an act entitled an act for the relief of certain settlers on university lands in Oakland county, approved March 9, 1843;'

The 'bill to change the name of Michigan village;'

The 'bill to attach the county of Huron to the county of St. Clair for judicial and other purposes;' and

The 'bill for the relief of the university of Michigan;' were severally read the third time and passed.

The "bill to incorporate the peninsula mutual fire and marine insurance company," was read the third time, and the question being on its passage, it was lost by yeas and nays as follows, two-thirds of the members elected not voting in the affirmative :

#### YEAS.

Mr. Adams,	Mr. Joslin,	* Mr. Rowland,
Baldwin,	Knight,	Saunders,
Blindbury,	Leland,	Sheldon,
Davis,	Livermore,	Snell,
Fairfield,	McLeod,	Videto,
H. Hall,	Parmelee,	Van Husan,
M. Hall,	Porter,	D. C. Walker,
Hawley,	Pratt,	H. N. Walker,
Haydon,	Ruehle,	White,
Hebard,	Rix,	Speaker,
		30

#### NAYS.

Mr. Ames,	Mr. Lamond,	Mr. Ramsdell,
Barnard,	H. L. Miller,	Runyan,
Ferguson,	Mosher,	Stone,
Griffin,	P. Power,	Tillson,
Knowlton,	R. D. Power,	Vickery,
		15

The "bill supplementary to an act entitled an act making appropriations on the Central railroad," was read the third time and passed by the following vote :

#### YEAS.

Mr. Ames,	Mr. Livermore,	Mr. Saunders,
Blindbury,	Parmelee,	Sheldon,
Griffin,	Porter,	Tillson,
H. Hall,	Pratt,	Videto,



M. Hall,  
Hawley,  
Joslin,  
Lamond,  
Leland,

Ramsdell,  
Ruehle,  
Rix,  
Rowland,

Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker,

25

NAYS.

Mr. Adams,  
Barnard,  
Baldwin,  
Davis,  
Fairfield,  
Ferguson,  
Haydon,

Mr. Hebard,  
Knight,  
Knowlton,  
McLeod,  
H. L. Miller,  
Mosher,  
P. Power,

Mr. R. D. Power,  
Runyan,  
Snell,  
Stone,  
Vickery,  
White,

20

The "bill to incorporate the Grand Rapids academy," was read the third time and passed by the following vote :

YEAS.

Mr. Adams  
Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Davis,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,

Mr. Knowlton,  
Leland,  
Livermore,  
McLeod,  
H. L. Miller,  
Mosher,  
Parmelee,  
P. Power,  
R. D. Power,  
Porter,  
Pratt,  
Ruehle,  
Rix  
Rowland,

Mr. Runyan,  
Saunders,  
Sheldon,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

41

NAYS.

Mr. Fairfield,

Mr. Knight,

2

The "joint resolution proposing an amendment to the constitution" was read the third time and the question being on its passage, it was lost by the following vote :

YEAS.

Mr. Ames,  
Barnard,  
Baldwin,  
H. Hall,  
Haydon,  
Hebard,  
Knight,  
McLeod,

Mr. H. L. Miller,  
Mosher,  
Parmelee,  
R. D. Power,  
Porter,  
Pratt,  
Rix,

Mr. Runyan,  
Stone,  
Tillson,  
Van Husan,  
H. N. Walker,  
White,  
Speaker,

22

NAYS.

Mr. Adams,

Mr. Joslin,

Mr. Rowland,

Blindbury,	Knowlton,	Saunders,	
Davis,	Lamond,	Sheldon,	
Fairfield,	Leland,	Snell,	
Ferguson,	Livermore,	Videto,	
Griffin,	P. Power,	Vickery,	
M. Hall,	Ruehle,	D. C. Walker,	
Hawley,			22

Mr. Joslin moved a reconsideration of the last vote:

The Speaker decided the motion to be out of order.

Mr. Joslin appealed from that decision; when

The decision of the chair was sustained by the House.

The "joint resolution authorizing the governor to appoint an agent to take charge of certain state property" was read the third time and passed, and the question being on the title,

On motion of Mr. Livermore it was stricken out, and a "joint resolution authorizing the agent of the state prison to take charge of certain state property," substituted.

The title as amended was then agreed to.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the 'bill to amend chapter 3, title 3, part 1, of the revised statutes relative to the duties of county surveyors,' and the 'bill to amend part 3, title 2, chapter 4, section 28, of the revised statutes,' and to respectfully inform you that the Senate have non-concurred therein.

Also to return the 'bill to punish certain officers for taking or receiving unlawful fees and for other purposes,' and the 'bill to amend section 3, of an act entitled an act to repeal a part of chapter 8, title 3, part 1, of the revised statutes and for other purposes, approved February 17, 1842,' and to respectfully inform you that the Senate have concurred therein.

JAS. E. PLATT,  
*Secretary of the Senate.*

The 'bill to punish certain officers for taking or receiving unlawful fees,' and

The 'bill to amend section 3, of an act entitled an act to repeal a part of chapter 8, title 5, part 1st of the revised statutes and for other purposes, approved February 17, 1842,' were ordered to be enrolled.

## UNFINISHED BUSINESS.

The Senate amendments to the 'bill to provide for the foreclosure of mortgages,' were severally concurred in, and the bill as amended ordered to be enrolled.

The House then took up the 'bill to amend an act relative to common or primary schools, approved March 8, 1843.'

Mr. Joslin asked and obtained the unanimous consent of the House to offer the following amendment, which prevailed, and was inserted as section 4 :

Section 4. That section 37 of an act relative to common or primary schools, approved March 8, 1843, be amended by striking out of line 5 of said section the words 'according to age.'

The bill was then passed.

The bill to amend an act entitled an act to incorporate the Grand Rapids bridge company, being under consideration ;

On motion of Mr. Joslin the following proviso was added to the bill :

*Provided*, That such extension shall not prevent the supervisors of Kent county from building a free bridge across Grand River at Grand Rapids, and that said company shall not have any claim for damages on account of the building of said free bridge.

The bill was then passed by the following vote :

## YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Rix,
Ames,	Hebard,	Rowland,
Barnard,	Joslin,	Runyan,
Baldwin,	Knowlton,	Saunders,
Blindbury,	Leland,	Sheldon,
Davis,	McLeod,	Snell,
Delamatter,	H. L. Miller,	Stone,
Fairfield,	Mosher,	Tillson,
Ferguson,	Parmelee,	Videto,
Griffin,	P. Power,	Vickery,
H. Hall,	Porter,	Van Husan,
M. Hall,	Pratt,	H. N. Walker,
Hawley,	Ruehle,	Speaker, 39

## NAYS.

Mr. Knight, 1

The 'bill to authorize the Alphadelphia association to build a dam across the Kalamazoo river,' was read the third time and passed; and

The question being on the title on motion of Mr. H. N. Walker, 'Alphadelphia' was stricken out, and 'Miadelphia' inserted.

The title as amended was then adopted.

The House then resolved itself into committee of the whole on the general order, Mr. Baldwin in the chair, and after spending some time thereon the committee rose, and by their chairman reported that they had had under consideration a 'bill making appropriations for the Southern railroad;' a 'joint resolution relative to the sale of the Central and Southern railroads;' a 'bill making appropriations for the year 1844 on the Clinton and Kalamazoo canal, on the Shiawassee river, and on the Saginaw turnpike;' a 'bill to provide for the improvement of the St. Joseph river;' a 'joint resolution for the relief of Wm. B. Wendall;' and a 'joint resolution relative to the claim of Ebenezer Westbrook,' which they reported back with sundry amendments, in which the concurrence of the House was asked; also a 'bill to amend an act granting to certain debtors of the state the privilege of paying the state in state bonds, &c., approved February 11, 1842;' a 'bill to provide for laying out and establishing a state road, and for other purposes;' a 'bill in relation to certain taxes in the townships of Norton and Ottawa, in the county of Ottawa for 1843;' and a 'joint resolution relative to a certain sum of money stolen from the treasurer's office of the county of Shiawassee,' which they reported back without amendment.

The House took up the 'bill making appropriations for the year 1844, on the Clinton and Kalamazoo canal, on the Shiawassee river, and on the Saginaw turnpike,' and the question being on concurring in the amendments made in committee of the whole.

The first amendment (striking out the first section.) was non-conferred in by the following vote:

#### YEAS.

Mr. Delamatter,  
H. Hull,  
Haydon,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
Parmelee,  
Ramsdell,  
Rix,  
Saunders,  
Sheldon,

Mr. Tillson,  
Videto,  
Vickery,  
Van Hulan,  
H. N. Walker,  
Speaker, 18

#### NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin

Mr. Griffin,  
Hawley,  
Hebard,  
Knowlton,

Mr. Pratt,  
Reuhle,  
Rowland,  
Runyan,

Blindbury,  
Chester,  
Davis,  
Fairfield,  
Ferguson,

Lamond,  
McLeod,  
H. L. Miller,  
R. D. Power,

Snell,  
Stone,  
D. C. Walker,  
White,

25

The second amendment was concurred in ; and

On motion of Mr. Ramsdell the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and, on calling the roll, Messrs. Berry, Dunham, Schoolcraft and Shurtz were absent on leave, and Messrs. Fairfield, McLeod, O. Miller and Sheldon were absent without leave.

Mr. Rowland presented the claims of John Owen & Co.; of A. McFarren, and of Pat. Carey. Referred to the committee on claims.

The following message was received from the Senate:

SENATE CHAMBER, }  
Saturday, March 9, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House, that the Senate have concurred in the House amendments to the “bill supplementary to an act entitled an act making appropriations on the Central railroad” and to the “bill for the relief of the university of Michigan,” and have ordered the same, as amended, to be enrolled.

Also, to return the concurrent resolution relative to the tenth joint rule, and inform the House that the Senate have concurred therein.

Also, to inform you that Senators Hart, Shearer and Howell have been appointed a committee of conference on the part of the Senate, on the disagreement between the two houses to the “bill to establish a board of county auditors for Wayne county, and for other purposes.”

Also, to return the “bill to amend an act in relation to the fire department and firemen of incorporated cities and villages of this state,” which the Senate have passed with an amendment, in which they respectfully ask the concurrence of the House.

Also, to transmit “a bill to appropriate twelve hundred acres of internal improvement lands to construct the state road from Lexington to Point-aux-Barque,” which the Senate have passed and respectfully ask the concurrence of the House therein.

Also, to return the "bill to provide for the current expenses of the state for the year 1844," which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

JAMES E. PLATT,

*Secretary of the Senate.*

The amendments to the "bill to amend an act in relation to the fire departments and firemen of incorporated cities and villages of this state," were concurred in and the bill, as amended, was ordered to be enrolled.

The "bill to appropriate twelve hundred acres of internal improvement lands to construct the state road from Lexington to Point-au-Barque," was read twice and referred to the committee on internal improvement.

The first, second and third amendments to the "bill to provide for the current expenses of the state for the year 1844," were severally non-concurred in, and the fourth amendment was concurred in.

The House then took up the "bill to amend an act entitled 'an act to provide for the assessment and collection of taxes,' " &c. and the question being on concurring in the report of the committee of conference, when

The first, second and third amendments proposed by the committee were severally concurred in; and

The fourth amendment proposed was concurred in, by the following vote:

#### YEAS.

Mr. Adams,  
Ames,  
Baldwin,  
Chester,  
Davis,  
Delamatter,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,  
Haydon,

Mr. Joslin,  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
Mosher,  
P. Power,  
Pratt,  
Ruehle,  
Rix,

Mr. Runyan,  
Snell,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
White,  
Speaker,

31

#### NAYS.

Mr. Barnard,  
Blindbury,  
Fairfield,  
Hawley,  
Hebard,

Mr. Knight,  
H. L. Miller,  
Murphy,  
Parmelee,  
R. D. Power,

Mr. Porter,  
Ramsdell,  
Rowland,  
Saunders,  
H. N. Walker, 15

The bill was then ordered to be enrolled.

The "bill making appropriations for the year 1844, on the Clinton and Kalamazoo canal; on the Shiawassee river and on the Saginaw turnpike," was then taken up for consideration, and

The question being on concurring in the third amendment, striking out the third section, it was non-concurred in by the following vote:

YEAS.

Mr. Delamatter,	Mr. Livermore,	Mr. Saunders,
H. Hall,	Mosher,	Sheldon,
M. Hall,	Parmelee,	Tillson,
Haydon,	Porter,	Videto,
Joslin,	Ramsdell,	Vickery,
Knight,	Ruehle,	Van Husean,
Leland,	Rix,	Speaker, 21

NAYS.

Mr. Adams,	Mr. Griffin,	Mr. Pratt,
Ames,	Hawley,	Rowland,
Barnard,	Hebard,	Runyan,
Baldwin,	Knowlton,	Snell,
Blindbury,	Lamond,	Stone,
Chester,	H. L. Miller,	D. C. Walker,
Davis,	Murphy,	H. N. Walker,
Fairfield,	P. Power,	White, 26
Ferguson,	R. D. Power,	

The fourth amendment, striking out the fourth section, was non-concurred in by the following vote:

YEAS.

Mr. Delamatter,	Mr. Mosher,	Mr. Tillson,
H. Hall,	Parmelee,	Videto,
M. Hall,	Porter,	Vickery,
Haydon,	Ramsdell,	Van Husean,
Joslin,	Ruehle,	D. C. Walker,
Leland,	Saunders,	Speaker, 20
Livermore,	Sheldon,	

NAYS.

Mr. Adams,	Mr. Griffin,	Mr. R. D. Power,
Ames,	Hawley,	Pratt,
Barnard,	Hebard,	Rix,
Baldwin,	Knight,	Rowland,
Blindbury,	Knowlton,	Runyan,
Chester,	Lamond,	Snell,
Davis,	H. L. Miller,	Stone,
Fairfield,	Murphy,	H. N. Walker,
Ferguson,	P. Power,	White, 27

Mr. Pratt moved to amend the first section by striking out the words

'west of Pontiac,' and inserting the following, 'to be expended, commencing at and running west of Pontiac agreeably to the original survey as near as practicable, and the board of internal improvement are hereby directed to expend the appropriation hereby made without unnecessary delay.'

Mr. D. C. Walker moved to strike out of the amendment the word 'Pontiac,' and insert 'Rochester,' which motion was lost.

The question then recurring on the amendment moved by Mr. Pratt, it prevailed.

Mr. Parmelee moved to add the following as a separate section:

Section Five thousand acres of said lands are hereby appropriated for the improvement of the state road leading from Battle Creek to Hastings, also ten thousand acres, for the improvement of the Kalamazoo river below Allegan.

Mr. Joslin moved to add the following to the amendment, 'also twenty thousand acres for the repairs of the Southern railroad between Monroe and Adrian,' which amendment was lost.

Mr. Van Huse moved to add to the amendment the following:— 'fifty thousand acres to be appropriated for the purpose of making salt at the salt springs at Saline,' which motion was lost.

The question then recurring on the amendment moved by Mr. Parmelee, it prevailed.

Mr. Videto moved to add the following, as an independent section:

"Sixty thousand acres of land belonging to the state for purposes of internal improvement, are hereby appropriated for the improvement of Grand river."

Which amendment was lost, by the following vote:

#### YEAS.

Mr. Delamatter,  
Ferguson,  
H. Hall,  
M. Hall.  
Hawley,  
Haydon,

Mr. Joslin,  
Knight,  
Leland,  
Livermore,  
Parmelee,  
Porter.

Mr. Ramsdell,  
Ruehle,  
Videto,  
Vickery,  
Van Huse,  
Speaker. 18

#### NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Chester,

Mr. Griffin,  
Knowlton,  
Lamond,  
H. L. Miller,  
Mosher,  
Murphy,

Mr. Pratt,  
Runyan,  
Saunders,  
Snell,  
Stone,  
Tillson,



Davis,  
Fairfield.

P. Power,  
R. D. Power,

D. C. Walker,  
23

Mr. D. C. Walker moved to add the following section to the bill:

Section . Ten thousand acres of said lands are hereby appropriated for constructing a wagon road from the village of Ramco, Maccomb county, to the village of Palmar, in St. Clair county, and the board of internal improvement be, and are hereby authorized, when said road shall have been constructed, to erect toll gates on said road, at such places and fix such rates of tolls to be paid at such gates, as the interest of the state shall, in their opinion, require.

Which section was rejected by yeas and nays as follows:

YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,

Mr. Knight,  
Leland,  
Parmelee,  
Porter,  
Ruehle,  
Rix,

Mr. Tillson,  
Videto,  
Vickery,  
Van Huse,  
D. C. Walker,  
Speaker,

19

NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Chester,  
Davis,  
Fairfield,  
Ferguson,

Mr. Griffin,  
Knowlton,  
Lamond,  
Livermore,  
H. L. Miller,  
Mosher,  
Murphy,  
P. Power,  
R D. Power,

Mr. Pratt,  
Ramsdell,  
Rowland,  
Runyan,  
Saunders,  
Snell,  
Stone,  
H. N. Walker,  
26

Mr. Baldwin moved the previous question, which was demanded, and the main question ordered to be now put.

The main question, being on ordering the bill to be engrossed for a third reading, was lost by the following vote:

YEAS.

Mr. Adams,  
Barnard,  
Baldwin,  
Blindbury,  
Chester,  
Davis,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Hebard,  
Knowlton,  
Lamond,  
H. L. Miller,  
Murphy,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Snell,  
Stone,

20

NAYS.

Mr. Ames,  
Delamatter,

Mr. Livermore,  
Mosher,

Mr. Saunders,  
Tillson,

H. Hall,  
M. Hull,  
Hawley,  
Haydon,  
Joslin,  
Knight,  
Leland,

Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,

Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker,

25

The amendment made in committee of the whole, (striking out all after the enacting clause) to the 'joint resolution relative to the sale of the southern and central railroads, was concurred in by the following vote:

## YEAS.

Mr. Chester,  
Delamatter,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,

Mr. Leland,  
Livermore,  
Parmelee,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Saunders,

Mr. Stone,  
Videto,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker,

23

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Davis,  
Fairfield,

Mr. Griffin,  
H. Hall,  
Knowlton,  
Lamond,  
H. L. Miller,  
Mosher,  
Murphy,

Mr. P. Power,  
R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Snell,  
Tillson,

21

The 'bill in relation to certain taxes in the townships of Norton and Ottawa in the county of Ottawa, was ordered to be engrossed for a 3d reading.

The amendments to the 'joint resolution relative to the claim of Ebenezer Westbrook, were concurred in, and the joint resolution ordered to a third reading.

The amendment (striking out all after the enacting clause) to the 'bill to provide for the improvement of the St. Joseph river,' was concurred in.

The amendments to the 'joint resolution for the relief of Wm. B. Wandall,' were concurred in, and the joint resolution ordered to be engrossed for a third reading.

The amendments to the 'joint resolution relative to a certain sum of money stolen from the treasurer's office of the county of Shawassee,' were concurred in, and the joint resolution was ordered to a third reading.

The amendment (striking out all after the enacting clause) to the 'bill making appropriations for the extension of the southern railroad,' was concurred in by the following vote:

## YEAS.

Mr. Delamatter,	Mr. Leland,	Mr. Tillson,
H. Hall,	Parmelee,	Videto,
M. Hall,	P. Power,	Vickery,
Hawley,	Porter,	Van Husan,
Haydon,	Ramsdell,	D. C. Walker,
Joslin,	Ruehle,	H. N. Walker,
Knight,	Rix,	Speaker,

21

## NAYS.

Mr. Adams,	Mr. Ferguson,	Mr. Mosher,
Ames,	Griffin,	Murphy,
Barnard,	Hebard,	R. D. Power,
Blindbury,	Knowlton,	Runyan,
Chester,	Lamond,	Snell,
Davis,	Livermore,	Stone,
Fairfield,	H. L. Miller,	

20

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the 'bill to provide for the current expenses of the state for the year 1844,' and to inform the House that the Senate insist upon their amendments thereto and request the appointment of a committee of conference thereon.

JAMES E. PLATT,

*Secretary of the Senate.*

Messrs. Pratt, Parmelee and H. N. Walker were appointed a committee of conference on the part of the House on the disagreement between the two houses on the 'bill to provide for the current expenses of the state for the year 1844.'

The following message was received from the Senate:

SENATE CHAMBER,  
March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the 'joint resolution authorizing the Governor to appoint an agent to take charge of certain state property,' together with the House substitute thereto, and to inform the House that the Senate have non-concurred in said sub-

stitute, and request the appointment of a committee of conference thereon.

Also, to return a 'joint resolution authorizing the re-survey of East Battle Creek;' and the 'bill relative to the duties of assessors and highway commissioners,' and to inform the House that the Senate have concurred therein.

Also, to return the 'bill to define and protect the rights of married women,' which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

Also, to transmit a 'joint resolution' authorizing the Governor to have repairs made upon the capitol,' which the Senate have adopted; and a 'bill to amend an act entitled an act to amend an act entitled an act to incorporate the stockholders of the Michigan Insurance company of Detroit,' &c.; and a 'bill to amend an act entitled an act to provide for consolidating and revising the general laws of the state of Michigan,' which the Senate have passed, and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,

*Secretary of the Senate.*

The 'bill relative to the duties of assessors and highway commissioners,' and the 'joint resolution to authorize the re-survey of East Battle Creek,' were ordered to be enrolled.

Messrs. Livermore, White and D. C. Walker, were appointed a committee of conference on the disagreement between the two houses on the 'joint resolution to authorize the Governor to appoint an agent to take charge of certain state property.'

The amendments to the bill to define and protect the rights of married women,' were severally concurred in, and the bill as amended was ordered to be enrolled.

The "joint resolution authorizing the governor to have repairs made upon the capitol," was read twice, and,

On motion of Mr. H. N. Walker,

'The rule was suspended, the joint resolution taken up, ordered to a third reading, read the third time and passed.

The "bill to amend an act entitled an act to amend an act entitled an act to incorporate the stockholders of the Michigan insurance com-

pany of Detroit." was read twice and referred to the committee on banks and incorporations.

The "bill to amend an act entitled 'an act to provide for consolidating and revising the general laws of the state of Michigan,'" was read twice and referred to the committee on the judiciary.

The "bill to provide for laying out and establishing a state road, and for other purposes," was ordered to be engrossed for a third reading.

The "bill to amend an act granting certain debtors to the state the privilege of paying the state in state bonds," &c. was ordered to a third reading.

On motion of Mr. Murphy, the House adjourned.

*Evening Session.*

The House met pursuant to adjournment, and on calling the roll, Messrs. Berry, Danham, Schoolcraft and Shurtz, were absent on leave, and Messrs. M. Hall, and O. Miller, were absent without leave.

Mr. Rowland presented the claims of A. S. Bagg, of Bagg & Harmon, and of G. F. Rood, & Co. Referred to the committee on claims.

The following communication was received from the Senate:

SENATE CHAMBER, }  
March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return to the House of Representatives "a bill to amend an act entitled an act relative to the auditor general and state treasurer, and the offices of each, approved April 1st, 1840," and to respectfully inform the House that the Senate have passed the same.

JAS. E. PLATT,  
*Secretary of the Senate.*

The "bill to amend an act entitled an act relative to the auditor general and state treasurer, and the offices of each," &c., was ordered to be enrolled.

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
 Detroit, March, 9, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act to amend an act entitled 'an act to abolish the office of county commissioner, and for other purposes,' approved February 10, 1842."

Also, "an act to amend section six of 'an act to divide the several counties in this territory into townships, and for other purposes,' approved April 13, 1827."

Also, "an act to authorize James Miller to build a dam across the Clinton river, in the county of Maconib."

Also, "an act to authorize the supervisors of Kent county to build a free bridge across Grand river at Grand Rapids."

Also, "an act to amend section six, chapter two, title seven, part second of the revised statutes."

Also, "an act making an appropriation on the St. Joseph river."

Also, "an act for the relief of Lucy Stephens."

JNO. S. BARRY.

EXECUTIVE OFFICE, }  
 Detroit, March 9, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act making appropriations on the Central railroad."

Also, "an act supplementary to an act entitled 'an act making appropriations on the Central railroad.'

JNO. S. BARRY.

On motion of Mr. Joslin, so much of the 21st rule was suspended as provides that the second and third reading of bills shall be on different days, and that the third reading shall be on a day subsequent to that in which it has passed a committee of the whole.

The "joint resolution relative to a certain sum of money stolen from the treasury of Shiawassee county;"

The "joint resolution relative to the claim of Ebenezer Westbrook;"

The "joint resolution for the relief of Wm. B. Wendall;"

The "bill in relation to certain taxes in the townships of Norton and Ottawa, in the county of Ottawa, for 1843;"

The "bill to amend an act granting to certain debtors of the state the privilege of paying the state in state bonds," &c., and,

The "bill to provide for laying out and establishing a state road and for other purposes," were severally read the third time and passed.

Mr. Pratt from the committee on enrolment reported as correctly enrolled :

"A bill to provide for the foreclosure of mortgages;" "a bill to punish certain officers for taking and receiving unlawful fees and for other purposes;" "a bill to amend an act relative to the fire departments and firemen of incorporated villages of this state;" "a bill relative to the registry of certain deeds;" "a bill to amend section 2 of an act entitled an act to repeal a part of chapter 8, title 5, part 1, of the revised statutes and for other purposes," approved February 1, 1842; and that the same have been presented to the governor for his signature this day.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 9, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to inform you that Senators Wilson, Thurber and Howell have been appointed a committee of conference on the part of the Senate on the disagreement between the two houses on the "bill to provide for the current expenses of the state for the year 1844," and that Senators Richmond, Moody and Mason have been appointed a committee of conference on a like disagreement on the "joint resolution authorizing the governor to appoint an agent to take charge of certain state property."

JAMES E. PLATT,  
*Secretary of the Senate.*

The House went into committee of the whole on the general order, Mr. McLeod in the chair, and after spending some time thereon the committee rose and reported that they had had under consideration a "bill supplementary to an act to lay out and establish certain roads therein mentioned, approved March 9, 1843;" a "bill to establish the Hillsdale and Lenawee county turnpike company;" a "bill

- making appropriations to defray certain expenses authorized for the year 1844;" a "bill to authorize Anne Duval a minor to convey certain real estate;" a "joint resolution relative to settlement with Charles W. Millerd;" a "bill to attach certain townships to the county of Lapeer as a part of the territory and jurisdiction thereof," a "bill authorizing the marking and branding of horses, cattle, sheep and swine;" a "bill to incorporate the Lapeer and Pontiac turnpike company;" a "bill to provide for improving the navigation of the Shiawassee river;" and a "joint resolution relative to the possession and occupancy of Oregon;" which they reported back without amendment, and "a bill to incorporate the Troy and Rochester railroad company;" a "bill making appropriations on the Northern wagon road;" a "bill to incorporate the village of Saline;" a "bill to amend an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841;" a "joint resolution relative to certain claims;" a "joint resolution relative to the return of money to Jacob Beeson;" a "bill to amend the several acts to organize the militia of this state;" and a "joint resolution authorizing the commissioner of internal improvement to lease a certain part of the Southern railroad;" which they reported back with amendments, in which the concurrence of the House was asked.

Mr. Pratt from the committee of conference on the "bill to provide for the current expenses of the state for the year 1844," made a report thereon; and

The first amendment proposed by the committee, being an increase of the pay of messengers from one dollar to one dollar fifty cents per day, was non-concurred in by the following vote:

## YEAS.

Mr. Adams,	Mr. M. Hall,	Mr. Porter,
Ames,	Knowlton,	Pratt,
Barnard,	Lamond,	Saunders,
Baldwin,	McLeod,	Videto,
Delamatter,	Murphy,	Van Huse,
Fairfield,	Parmer,	H. N. Walker,
Griffin,		

19

## NAYS.

Mr. Blindbury,	Mr. Leland,	Mr. Sheldon,
Chester,	H. L. Miller,	Snell,
Ferguson,	Mosher,	Stone,
H. Hall,	P. Power,	Tillson,



Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,

R. D. Power,  
Ruehle,  
Rix,  
Rowland,  
Runyan.

Vickers,  
D. C. Walker,  
White,  
Speaker,

26

The remaining propositions recommended by the committee were concurred in.

The "joint resolution relative to the possession and occupancy of Oregon," was ordered to be engrossed for a third reading, the rule suspended, and the joint resolution read the third time and passed.

The amendment to the "joint resolution authorizing the commissioner of internal improvement to lease a portion of the Southern railroad," was concurred in, and the joint resolution ordered to a third reading, the rule suspended, and the joint resolution read a third time and passed.

The question being on the title,

On motion of Mr. Joslin, it was amended by striking out the words 'commissioner of internal improvement,' and inserting 'person having charge of the same.'

The House then took up the 'bill to provide for the improvement of the navigation of the Shiawassee river,' and the question being on ordering it to a third reading, it was decided in the negative.

The 'bill authorizing the marking and branding of horses, cattle, sheep and swine,' was ordered to be engrossed for a third reading, the rule suspended, and the bill read a third time and passed.

The amendment to the 'bill to amend the several acts to organize the militia of this state,' was concurred in, and the bill ordered to a third reading, the rule suspended, and the bill read a third time and passed.

The 'joint resolution to authorize a settlement with Charles W. Miller,' was ordered to be engrossed for a third reading, the rule suspended, and the resolution read a third time and passed.

Mr. Ferguson moved an adjournment, which was lost.

The 'bill to provide for the payment of certain claims;' and the 'bill making appropriations to defray certain expenses authorized for the year 1844,' were,

On motion of Mr. D. C. Walker, laid on the table.

The 'bill to attach certain townships to the county of Lapeer,' was taken up,

Mr. Baldwin moved to indefinitely postpone the bill, which prevailed by the following vote :

## YEAS.

Mr. Adams,	Mr. Griffin,	Mr. R. D. Power,
Ames,	Howley,	Pratt,
Barnard,	Knowlton,	Rowland,
Baldwin,	Lamont,	Runyan,
Blindbury,	McLeod,	Saunders,
Chester,	H. L. Miller,	Stedman,
Davis,	Mosher,	Stone.
Fairfield,	Murphy,	Van Husan,
Ferguson,	Parmelee,	

26

## NAYS.

Mr. Delamatter,	Mr. Leland,	Mr. Snell,
H. Hall,	Livermore,	Videto,
M. Hall,	P. Power,	Vickery.
Haydon,	Porter,	D. C. Walker,
Hebard,	Ramsdell,	H. N. Walker,
Joslin,	Ruehle,	White,
Knight,	Rix,	Speaker,

21

Mr. Pratt, from the committee on enrollments reported as correctly enrolled :

“A bill to amend an act entitled ‘an act to provide for the assessment and collection of taxes,’ approved March 8, 1843, and for other purposes,” and that the same has been presented to the Governor for his approval.

On motion of Mr. Baldwin, the House adjourned.

*Monday. March 11, 1844.*

The House met pursuant to adjournment, and on calling the roll Messrs. Berry, Dunham, Schoolcraft and Shurtz were absent on leave, and Messrs. Ames, Fairfield, McLeod, O. Miller, Murphy, Parmelee Rix and Videto were absent without leave.

## REPORTS.

Mr. Vickery from the committee on claims made the following report accompanied by a bill :

The committee on claims have had under consideration, and recommend the allowance of the following :

Claim of Henry E. Perry for 27½ cords wood at 16 shillings, furnished March 9, 1843, \$54 25

Claim of C. Morse for stationery furnished House of Representatives from January 1, to March 1844, \$23 55.

Claim of Henry E. Perry for wood furnished in 1844, 7 cords at 14 shillings, \$12 25; 22½ cords at 16 shillings \$45 00.

Claim of A. H. Newbould, for stationery furnished House of Representatives 1844, \$87 50.

Claim of A. McFarren for stationery furnished auditor general's office, in February and March 1844, \$7 50.

Claim of Thomas Hall for repairing stoves and gate of capitol \$1 13.

Claim of A. McFarren for stationery furnished House of Representatives during present session, \$82 41.

Claim of John Owen & Co., for stationery furnished House of Representatives during present session, \$19 42.

Claim of Thomas Rowland, P. M., for postage on letters, packets and papers, received at Detroit post office for members of House of Representatives from January 1st to March 8 inclusive, \$202 54.— Same for members of the Senate for the same period, \$103 46.

Claim of A. S. Bagg for stationery furnished House of Representatives during present session \$83 58.

Claim of G. F. Rood & Co., for stationery furnished House of Representatives during present session \$63 12.

Claim of Bagg & Harmon for printing divisions, circulars, certificates, &c., from 1st January 1844 to March 1st, \$49 00.

Claim of Bagg & Harmon for 53 daily papers two and a half months at 66 cents per month, \$95 23.

Claim of A. S. Williams for printing 59 daily papers two and a half months, eight dollars per year each, \$93 33.

Herewith is reported a bill embracing the foregoing claims.

The report was accepted, the committee discharged, and the "bill making appropriations to defray certain expenses authorized for the year 1844," was read twice and referred to the committee of the whole.

Also from the same committee made the following report which was accepted and the committee discharged.

The committee on claims report adversely to the following:

Claim of Henry E. Perry for repairs &c., amounting to \$3 50;  
• testimony to support the claim.

Claim of P. Carey for extra services which your committee have no authority to allow.

Claim of C. Morse for stationery furnished the supreme court, and which the committee in their report of 9th recommended to be allowed at \$8 37, has been received, and they now think it should not be allowed for reasons apparent on the face of the account.

Mr. Hawley from the committee on banks and incorporations to whom was referred the Senate "bill to amend an act entitled an act to amend an act entitled an act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1844, and for other purposes" approved March 9, 1843," reported the same back without amendment.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Pratt from the committee on enrolment, reported as correctly enrolled the following bills and joint resolutions.

'A bill to define and protect the rights of married women.'

'A bill to incorporate the Utica female seminary.'

'A bill to amend an act entitled an act relative to the auditor general and State treasurer and the offices of both, approved April 1, 1840.'

'A bill relative to the duties of assessors and highway commissioners.'

'A joint resolution relative to the distribution of the session laws, journals.' &c.

'A joint resolution authorizing the re-survey of the village of East Battle Creek.

'Joint resolution relative to the claim of Farrand & Higby, and John H. Dubois.'

'A joint resolution relative to certain Ottawa Indians residing at L'Arbre Croche on lake Michigan.'

'A bill to incorporate the Detroit and Birmingham plank road company.'

'A joint resolution authorizing the commissioner of the land office to issue certificates to certain persons therein named.'

'An act authorizing the building of a dam across the river Raisin.'

And 'an act to amend the charter of the city of Detroit,' and that

the same have been this day presented to the Governor for his signature.

Mr. Joslin from the committee on internal improvement to whom was referred the Senate "bill to appropriate twelve hundred acres of internal improvement land to construct the state road from Lexington to Point au Barque," reported the same back without amendment.

The report was accepted, the committee discharged, and bill referred to the committee of the whole.

Mr. McLeod from the committee on education, to whom was referred the special message of the Governor, transmitting a communication from Alexander Vattermare, made a report accompanied by a 'preamble and joint resolutions relative to Mons. Vattermare's system of international literary exchanges.'

The report was accepted, and,

On motion of Mr. Joslin, one hundred extra copies were ordered to be printed.

The preamble and joint resolutions were read twice and referred to the committee of the whole.

Mr. Ramsdell, from the committee on the judiciary, to whom was referred the Senate "bill to amend an act entitled 'an act to provide for consolidating and revising the general laws of the state of Michigan,'" reported the same back without amendment and recommended that it should not be passed.

The report was accepted, the committee discharged and the bill referred to the committee of the whole.

Mr. Rix, from the committee on the militia, made the following report, which was accepted and the committee discharged:

The committee on the militia, to whom was referred the petition of John C. Spencer and twenty-four others, of the village of Jackson, composing a volunteer infantry company, for the passage of a law granting them a certain piece of land in said village, as a compensation to them for holding themselves in readiness and turning out upon requisition of the superintendent of the state prison in cases of emergency, having had the same under consideration, respectfully report, that, however anxious the state may be to afford facilities to those whose patriotism induce them to volunteer their service in behalf of

the public interest, your committee, on investigation, find that the land petitioned for was granted to the state for a specific purpose, and that the state would not be warranted in converting it to other uses, and therefore are obliged to report adverse to the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

Also, from the same committee, made the following report, which was accepted and the committee discharged:

The committee on the militia, to whom was referred the petition of Lewis E. Bailey, for compensation for a horse lost in the service of the state, respectfully report, that a like petition has been before the legislature at every session since the organization of Michigan into a state, (as your committee are informed;) that the compensation sought for has been at each session refused; that the same application, now before your committee, was last year rejected, and has, the present session, been before the Senate and by that body disallowed; and that your committee look upon its presentation to this House, at this time, and under these circumstances, as insulting to the Senate, and upon the petitioner as a nuisance to the state; and respectfully beg and pray to be discharged ever more from the further consideration thereof.

The following communication was received from the executive:

EXECUTIVE OFFICE, }  
Detroit, March 9, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act to amend section three of an act entitled 'an act to repeal a part of chapter eight, title fifth, part first of the revised statutes and for other purposes,' approved February 17, 1842;" also,

"An act to incorporate the Detroit and Port Huron plank road company;" also,

"An act to amend 'an act in relation to the fire departments and firemen of the incorporated cities and villages of this state,'" also,

"An act to punish certain officers for taking or receiving unlawful fees and for other purposes;" also,

"An act relative to the registry of certain deeds;" also,

"An act to provide for the foreclosure of mortgages;" also,

"An act to incorporate the Cottonwood swamp turnpike company."

JOHN S. BARRY,

The following message was received from the Senate:

SENATE CHAMBER, }  
Saturday, March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House that the Senate have concurred in the report of the committee of conference on the disagreement between the two houses on the "joint resolution authorizing the governor to appoint an agent to take charge of certain state property," which is herewith transmitted.

Also, to inform the House that the Senate have concurred in the House amendments to the "joint resolution relative to the claim of Ebenezer Wesbrook," and the "joint resolution relative to a certain sum of money stolen from the treasurer's office of the county of Shiassee," and have ordered the same, as amended, to be enrolled.

JAMES E. PLATT,

*Secretary of Senate.*

The House concurred in the report of the committee of conference on the "joint resolution authorizing the governor to appoint an agent to take charge of certain state property."

The following message was received from the Senate:

SENATE CHAMBER, }  
Saturday, March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "a bill to incorporate the Peninsular mutual fire and marine insurance company," which the Senate have passed and respectfully ask the concurrence of the House therein.

Also, to return the "joint resolution authorizing the commissioner of the land office to issue certificates to certain persons named therein," and to inform the House that the Senate have concurred therein.

JAMES E. PLATT,

*Secretary of Senate.*

The "joint resolution authorizing the commissioner of the land office to issue certificates to certain persons named therein," was ordered to be enrolled.

The "bill to incorporate the Peninsular mutual fire and marine in-

insurance company," was read twice and referred to the committee of the whole.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House, that the Senate have concurred in the House amendment to the 'bill to amend an act entitled an act to incorporate the Grand Rapids bridge company,' and have ordered the bill as amended to be enrolled.

Also, to return the 'bill to amend the charter of the city of Detroit,' which the Senate have passed with an amendment in which they respectfully ask the concurrence of the House.

Also, to return the 'joint resolution relative to the distribution of the session laws, journals, &c.,' and inform the House that the Senate have concurred therein.

Also, to return the 'bill to incorporate the Utica female seminary;' the 'joint resolution relative to certain Ottawa Indians residing at L'Arbre Croche, on Lake Michigan;' the 'joint resolution relative to the claims of Farrand and Higbee, and John H. Dubois,' and to inform the House that the Senate have concurred therein.

Also, to return the 'bill authorizing the building a dam across the River Raisin,' which the Senate have passed with an amendment in which they respectfully ask the concurrence of the House.

Also, to return the 'bill to incorporate the Detroit and Grand River plank road company,' with amendments in which they respectfully ask the concurrence of the House.

Also, to inform the House that the Senate have concurred in the report of the committee of conference on the 'bill to establish a board of county auditors for Wayne county, and for other purposes,' which is herewith transmitted.

Also, to transmit 'bill to punish officers, clerks, agents and servants of incorporated bodies for certain frauds,' which the Senate have passed, and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The 'bill to punish officers, clerks, agents, and servants of incorporated bodies for certain frauds,' was read twice and referred to the committee of the whole.



The report of the committee of conference on the 'bill to establish a board of auditors for Wayne county, and for other purposes,' was concurred in.

The first Senate amendment to the 'bill to incorporate the Detroit and Grand River plank road company,' was concurred in, and the second amendment was non-concurred in.

On motion of Mr. H. N. Walker, the House asked of the Senate the appointment of a committee of conference on the foregoing bill.

The Senate amendment to the 'bill to authorize the building of a dam across the River Raisin,' was concurred in, and the bill ordered to be enrolled.

The 'bill to incorporate the Utica female seminary ;'

The 'joint resolutions relative to certain Ottawa Indians residing at L'Arbre Croche, on Lake Michigan ;'

The 'joint resolution relative to the claims of Farrand and Higbee, and John H. Dubois ;' and,

The 'joint resolution relative to the distribution of the session laws, journals, &c.; were ordered to be enrolled.

The Senate amendment to the 'bill to amend the charter of the city of Detroit,' was concurred in, and the bill, as amended, was ordered to be enrolled.

#### MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Baldwin offered the following resolution :

*Resolved,* That the select committee to whom was referred a 'bill to remove the restrictions in the practice of law, and regulate attorneys in the several courts of record of this state,' be instructed to report the same back forthwith.

Mr. H. N. Walker moved to amend the resolution by striking out 'forthwith,' and inserting 'this evening,' which motion was lost.

Mr. Pratt moved a reconsideration of the vote by which the decision of the Chair was sustained, on the question of reconsideration of the vote by which was lost the 'joint resolution proposing an amendment to the constitution,' which motion was decided in the negative by the following vote :

#### YEAS.

Mr. Ames,  
Barnard,  
Baldwin,

Mr. Knight,  
McLeod,  
H. L. Miller,

Mr. Ramsdell,  
Rix,  
Runyan,

H. Hall,  
M. Hall,  
Hawley,  
Hebard,  
Joslin,

Mosher,  
Parmelee,  
R. D. Power,  
Pratt,

Tillson,  
D. C. Walker,  
White,  
Speaker,

22

## NAYS.

Mr. Adams,  
Blindbury,  
Chester,  
Davis,  
Delamatter,  
Fairfield,  
Ferguson,  
Griffin,

Mr. Haydon,  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
P. Power,  
Ruehle,  
Rowland,

Mr. Saunders,  
Sheldon,  
Snell,  
Stone,  
Videto,  
Vickery,  
H. N. Walker,

23

Mr. McLeod offered a 'joint resolution relative to the purchase of books for the state library,' which was read twice, the rule suspended, and the joint resolution ordered to be engrossed for a third reading

Mr. Parmelee moved a reconsideration of the vote by which was indefinitely postponed the 'bill to attach certain townships to the county of Lapeer, for judicial and other purposes;' pending which,

Mr. Pratt moved a call of the House, which was lost.

Mr. Pratt then moved to lay the motion to reconsider on the table, which motion was lost by yeas and nays as follows:

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Chester,  
Davis,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Knowlton,  
Lamond,  
H. L. Miller,  
Mosher,  
R. D. Power,

Mr. Pratt,  
Rowland,  
Runyan,  
Saunders,  
Snell,  
Stone,

20

## NAYS.

Mr. Blindbury,  
Delamatter,  
H. Hall,  
M. Hall,  
Haydon,  
Hebard,  
Joslin,  
Knight,

Mr. Leland,  
Livermore,  
McLeod,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,

Mr. Rix,  
Tillson,  
Videto,  
Vickery,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,] 24

Mr. Baldwin moved the indefinite postponement of the motion to reconsider, which was lost by the following vote:

YEAS.

Mr. Adams, Ames, Barnard, Baldwin, Blindbury, Chester, Davis,	Mr. Fairfield, Ferguson, Griffin, Knowlton, Lamond, H. L. Miller, Mosher,	Mr. R. D. Power, Rowland, Runyan, Saunders, Snell, Stone,
		20

NAYS.

Mr. Delamater, H. Hall, M. Hall, Haydon, Hebard, Joslin, Knight, Leland,	Mr. Livermore, McLeod, Parmelee, P. Power, Porter, Pratt, Ramsdell, Ruehle,	Mr. Rix, Tillson, Videto, Vickery, D. C. Walker, H. N. Walker, White, Speaker,
		24

Mr. D. C. Walker moved the previous question, which was demanded by the House.

Mr. Pratt moved a call of the House, which motion was lost by the following vote :

YEAS.

Mr. Adams Ames, Barnard, Baldwin, Blindbury, Chester, Davis, Fairfield,	Mr. Ferguson, Griffin, Knowlton, Lamond, H. L. Miller, Mosher, Murphy,	Mr. R. D. Power, Pratt, Rowland, Runyan, Saunders, Stone, Tillson,
		22

NAYS.

Mr. Delamater, H. Hall, M. Hall, Haydon, Hebard, Joslin, Knight, Leland,	Mr. Livermore, McLeod, Parmelee, P. Power, Porter, Ramsdell, Ruehle, Rix	Mr. Sheldon, Snell, Videto, Vickery, D. C. Walker, H. N. Walker, White, Speaker,
		24

Mr. Pratt moved a reconsideration of the vote by which the motion to indefinitely postpone the motion to reconsider was lost.

The Speaker decided that, under the previous question, the motion was not in order.

The question then being, 'shall the main question be now put?' it was decided in the affirmative by the following vote:

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,

Mr. Tillson,  
Videto,  
Vickery,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

23

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Baldwin,  
Blindbury,  
Chester,  
Davis,  
Fairfield,

Mr. Ferguson,  
Griffin,  
Knowlton,  
Lamond,  
H. L. Miller,  
Mosher,  
Murphy,

Mr. R. D. Power,  
Pratt,  
Rowland,  
Runyan,  
Saunders,  
Snell,  
Stone,

22

On motion of Mr. Murphy a call of the House was had, when Messrs. Hawley, O. Miller and Van Husan, were absent without leave.

Mr. Fairfield asked and obtained leave of absence for O. Miller, for the day.

On motion of Mr. Baldwin, the sergeant-at-arms was sent for the absentees.

On motion of Mr. H. N. Walker, Patrick Cary was appointed sergeant-at-arms *pro tem*.

The absentees having returned,

On motion of Mr. Ferguson, all further proceedings under the call were dispensed with.

The question then being on the reconsideration of the vote by which the 'bill to attach certain townships to the county of Lapeer for judicial and other purposes,' was indefinitely postponed; it prevailed by yeas and nays as follows:

## YEAS.

Mr. Delamatter,  
H. Hall,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,  
Leland,

Mr. Livermore,  
McLeod,  
Parmelee,  
P. Power,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,

Mr. Sheldon,  
Tillson,  
Videto,  
Vickery,  
D. C. Walker,  
H. N. Walker,  
White,  
Speaker,

25

NAYS.

Mr. Adams, Ames, Barnard, Baldwin, Blindbury, Chester, Davis, Fairfield,	Mr. Ferguson, Griffin, Knowlton, Lamond, H. L. Miller, Mosher, Murphy, R. D. Power,	Mr. Pratt, Rowland, Runyan, Saunders, Snell, Stone, Van Husean,
		23

Mr. D. C. Walker moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question, being on the indefinite postponement of the bill was then put and lost by the following vote:

YEAS.

Mr. Adams, Ames, Barnard, Baldwin, Blindbury, Chester, Davis, Fairfield,	Mr. Ferguson, Griffin, Knowlton, Lamond, H. L. Miller, Mosher, Murphy, R. D. Power,	Mr. Pratt, Rowland, Runyan, Saunders, Snell, Stone, Van Husean,
		23

NAYS.

Mr. Delamatter, H. Hall, M. Hall, Hawley, Haydon, Hebard, Joslin, Knight, Leland,	Mr. Livermore, McLeod, Parmelee, P. Power, Porter, Ramsdell, Ruehle, Rix.	Mr. Sheldon, Tillson, Videto, Vickery, D. C. Walker, H. N. Walker, White, Speaker,
		25

Mr. Baldwin moved an adjournment, which was lost.

The bill was then ordered to a third reading by the following vote:

YEAS.

Mr. Delamatter, H. Hall, M. Hall, Hawley, Haydon, Hebard, Joslin, Knight,	Mr. Leland, Livermore, McLeod, Parmelee, P. Power, Porter, Ramsdell, Ruehle,	Mr. Rix, Tillson, Videto, Vickery, D. C. Walker, H. N. Walker, White, Speaker,
		24

NAYS.

Mr. Adams, Ames,	Mr. Ferguson, Griffin,	Mr. Pratt, Rowland,
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Barnard,	Knowlton,	Runyan,
Baldwin,	Lamond,	Saunders,
Blindbury,	H. L. Miller,	Snell,
Chester,	Mosher,	Stone,
Davis,	Murphy,	Van Husean,
Fairfield,	R. D. Power,	23

On motion of Mr. R. D. Power, leave was granted to Solomon Withey to withdraw his claim.

On motion of Mr. Joslin, James Forsyth had leave to withdraw his claim.

On motion of Mr. Hawley, John Van Fossen had leave to withdraw his claim.

On motion of Mr. Baldwin, Isaiah J. Hudson had leave to withdraw his claim.

Mr. Pratt, from the select committee to whom was referred the 'bill to remove the restrictions in the practice of law, and to regulate attorneys in the several courts of record of this state,' on leave, and in pursuance of the resolution adopted by the House this morning, reported the same back with sundry amendments.

The report was accepted, the committee discharged and the bill referred to the committee of the whole.

Mr. H. N. Walker asked leave to introduce a 'bill to incorporate the St Joseph and Kalamazoo railroad company.'

The Speaker decided that as no previous notice had been given, the 20th rule must be suspended before leave could be granted.

Mr. H. N. Walker moved a suspension of the rule, which did not prevail.

The 'bill to attach certain townships to the county of Lapeer for judicial and other purposes,' was read the third time, and the question being on its passage, it was lost by the following vote :

#### YEAS.

Mr. Delamatter,	Mr. Livermore,	Mr. Tillson,
H. Hall,	McLeod,	Videto,
M. Hall,	Parmelee,	Vickery,
Haydon,	P. Power,	D. C. Walker,
Hebard,	Porter,	H. N. Walker,
Joslin,	Ramsdell,	White,
Knight,	Ruehle,	Speaker.
Leland,	Rix,	

NAYS.

Mr. Adams,	Mr. Ferguson,	Mr. R. D. Power,
Ames,	Griffin,	Pratt,
Barnard,	Hawley,	Rowland,
Baldwin,	Knowlton,	Runyan,
Blindbury,	Lamond,	Saunders,
Chester,	H. L. Miller,	Snell,
Davis,	Mosher,	Stone,
Fairfield,	Murphy,	

23

UNFINISHED BUSINESS.

The amendments made in committee of the whole to the 'bill to incorporate the Troy and Rochester railroad company,' were concurred in by yeas and nays as follows:

YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Ruehle,
Ames,	Joslin,	Rix,
Barnard,	Knight,	Rowland,
Baldwin,	Knowlton,	Runyan,
Blindbury,	Lamond,	Saunders,
Chester,	Leland,	Snell,
Davis,	Livermore,	Stone,
Delamatter,	H. L. Miller,	Tillson,
Fairfield,	Mosher,	Videto,
Ferguson,	P. Power,	Van Husan,
Griffin,	Porter,	White,
H. Hall,	Pratt,	Speaker,
M. Hall,	Ramsdell,	

38

NAYS.

Mr. H. N. Walker,	1
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The bill was then ordered to a third reading.

The amendments made in committee of the whole to the bill to incorporate the village of Saline, were concurred in, and the bill ordered to be engrossed for a third reading.

The amendments made in committee of the whole to the 'bill to establish the Hillsdale and Lenawee county turnpike company,' were concurred in.

On motion of Mr. Fairfield, the following was added as a separate section :

"Sec. The stockholders of said company shall be individually liable for the debts and liabilities thereof, and may be sued either jointly or severally for the collection of the same, and such liability shall continue for the term of one year from the time they shall cease to be such stockholders as aforesaid."

On motion of Mr. Murphy, the bill was laid on the table.

The amendment made in committee of the whole (being a substitute) to the 'bill to amend an act to prescribe the powers and duties of justices of the peace in civil proceedings,' &c., was concurred in, and the bill ordered to a third reading.

The 'joint resolution relative to certain claims;' and the 'bill to authorize Anne Duval, a minor, to convey certain real estate,' were severally ordered to a third reading.

The House then took up the "bill to incorporate the Lapeer and Pontiac turnpike company," and,

On motion of Mr. Fairfield, the following was added, to stand as section nine:

"Section 9. And the stockholders of said company shall be individually liable for the debts and liabilities thereof, and may be sued either jointly or severally, for the collection of the same; and such liability shall continue for the term of one year from the time they shall cease to be such stockholders, as aforesaid."

The bill was then ordered to a third reading.

The amendment made in committee of the whole to the "joint resolution relative to the return of money to Jacob Beeson," was concurred in and the joint resolution ordered to a third reading.

The House then took up the "bill making appropriations on the Northern wagon road."

Mr. D. C. Walker moved to strike out of the first section the words 'twenty thousand,' before the word 'acres,' and insert 'ten thousand;' which motion was lost.

On motion of Mr. H. L. Miller, the following section was added to the bill:

"Sec. . Five thousand acres of the land donated to the state for purposes of internal improvement, are hereby appropriated for the improvement of the Saginaw turnpike between the Flint river and the city of Saginaw."

On motion of Mr. Griffin, the following section was added to the bill:

"Sec. . That eight thousand acres of the internal improvement lands of this state are hereby appropriated for the improvement of the navigation of the Paw Paw river."

On motion of Mr. Rowland, the following section was added:



"Sec. . That twenty thousand acres of internal improvement lands be, and they are hereby appropriated for the improvement of the Detroit and Grand river turnpike."

Mr. Parmelee moved to postpone the bill indefinitely; which motion was lost, by the following vote:

YEAS.

Mr. Ames,	Mr. Mosher,	Mr. Sheldon,	
Chester,	Parmelee,	Stone,	
Delamatter,	Ramsdell,	Videto,	
Griffin,	Ruehle,	Vickery,	
H. Hall,	Runyan,	Van Husan,	
Knight,	Saunders,	Speaker,	18

NAYS.

Mr. Adams,	Mr. Haydon,	Mr. R. D. Power,	
Barnard,	Hebard,	Pratt,	
Baldwin,	Knowlton,	Rix,	
Blindbury,	Lamond,	Rowland,	
Davis,	Leland,	Snell,	
Fairfield,	McLeod,	Tillson,	
Ferguson,	H. L. Miller,	D. C. Walker,	
M. Hall,			22

On motion of Mr. McLeod, the following section was added to the bill:

"Sec. . That five thousand acres of internal improvement lands are hereby appropriated for the improvement of the Shiawassee river."

Mr. Ramsdell moved to add the following section to the bill:

"Sec. That all of the unappropriated public or internal improvement lands, be and they are hereby appropriated for the support of common or primary schools"

Which motion was lost by the following vote:

YEAS.

Mr. Adams,	Mr. Leland,	Mr. Rowland,	
Barnard,	Mosher,	Saunders,	
Chester,	Parmelee,	Sheldon,	
Fairfield,	R. D. Power,	Tillson,	
H. Hall,	Ramsdell,	Van Husan,	
Joslin,	Ruehle,		17

NAYS.

Mr. Ames,	Mr. Hebard,	Mr. Rix,	
Baldwin,	Knight,	Runyan,	
Blindbury,	Knowlton,	Snell,	
Davis,	Lamond,	Stone,	
Delamatter,	Livermore,	Videto,	
Ferguson,	McLeod,	Vickery,	

Griffin,  
M. Hall,  
Haydon,

H. L. Miller,  
Pratt,

D. C. Walker,  
Speaker,

25

Mr. D. C. Walker moved the previous question which was demanded by the House.

Mr. Vickery moved a call of the House, which motion was lost.

The main question was ordered to be now put, and it being on ordering the bill to a third reading it was lost by the following vote :

## YEAS.

Mr. Barnard,  
Baldwin,  
Blindbury,  
Davis,  
Ferguson,  
Hebard,

Mr. Knowlton,  
Lamond,  
Livermore,  
McLeod,  
H. L. Miller,  
R. D. Power,

Mr. Pratt,  
Rix,  
Rowland,  
Snell,  
D. C. Walker,  
White,

19

## NAYS.

Mr. Adams,  
Ames,  
Chester,  
Delamatter,  
Fairfield,  
Griffin,  
H. Hall,  
M. Hall,  
Haydon,

Mr. Joslin,  
Knight,  
Leland,  
Mosher,  
Parmelec,  
Ramsdell,  
Ruehle,  
Runyan,

Mr. Saunders,  
Sheldon,  
Stone,  
Tillson,  
Videto,  
Vickery,  
Van Husan,  
Speaker,

25

The following message was received from the Senate:

SENATE CHAMBER, }  
March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed by the Senate to inform the House that the Senate have concurred in the report of the committee of conference, and again insist upon their 1st amendment to their appropriation bill, and respectfully ask the appointment of a committee thereon.

JAS. E. PLATT,

*Secretary of the Senate.*

The question being on acceding to the request of the Senate, it prevailed ; and

The Speaker appointed Messrs. D. C. Walker, H. L. Miller and Stone, a committee of conference on the part of the House on the 'bill providing for the payment of the current expenses of the state for the year 1844.'

The following message was received from the Senate :

SENATE CHAMBER, }  
March 11, 1844. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to inform the House that the Senate have concurred in the amendments made by the House to the ‘joint resolution authorizing the commissioner of internal improvement to lease a certain part of the Southern railroad;’ and the ‘bill to amend the several acts to organize the militia of this state,’ and have ordered the same as amended to be enrolled; also to return the ‘joint resolution relative to the settlement with Charles W. Miller,’ and to inform the House that the Senate have concurred therein; also to return the ‘bill authorizing the marking and branding horses, cattle, sheep and swine,’ and to inform the House that the Senate have concurred therein with an amendment, in which they respectfully ask the concurrence of the House.

JAS. E. PLATT,  
*Secretary of Senate.*

The ‘joint resolution relative to a settlement with Charles W. Miller,’ was ordered to be enrolled.

The Senate amendment to the ‘bill authorizing the marking and branding of horses, cattle, sheep and swine,’ was concurred in and the bill was ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 9, 1844. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to return to the House of Representatives a ‘bill authorising executors and administrators to convey lands in certain cases under the direction of the courts of probate, and to permit sales of real estate at less than the full appraised value in certain cases,’ and to respectfully inform the House that the Senate have concurred therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The ‘bill authorizing executors and administrators to convey lands in certain cases, under the direction of the courts of probate,’ &c., was ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 11, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the joint resolution for the relief of Wm. B. Wandall,' the joint resolution instructing our Senators and requesting our Representatives in congress, relative to a modification of the present tariff law,' and a 'bill to amend an act entitled an act for the relief of certain settlers on university lands in the county of Oakland, approved March 9, 1843,' and to inform the House that the Senate have concurred therein.

Also, to inform the House that Senators Shearer, Gray and Mason, have been appointed a committee of conference on the part of the Senate on the 'bill to incorporate the Detroit and Grand River plank road company.'

Also, to return the 'bill making appropriations for extra expenses incurred by the adjutant general,' and to inform the House that the Senate have concurred therein.

Also, to return the 'preamble and joint resolution relative to the possession and occupation of Oregon,' which the Senate have adopted with an amendment, in which they respectfully ask the concurrence of the House.

Also, to transmit a joint resolution relative to the accident on board of the Princeton,' which the Senate have adopted and respectfully ask the concurrence of the House.

JAMES E. PLATT,  
*Secretary of Senate.*

The 'bill to amend an act entitled an act for the relief of certain settlers on university lands in the county of Oakland, approved March 9, 1843.'

The 'bill making appropriations for extra expenses incurred by the adjutant general ;'

The 'joint resolution for the relief of Wm. B. Wandall ;'

The 'joint resolution instructing our Senators, and requesting our Representatives in Congress, relative to a modification of our present tariff,' were severally ordered to be enrolled.

The Senate amendment to the 'preamble and joint resolution relative to the possession and occupation of Oregon,' was concurred in, and the same as amended, ordered to be enrolled.

The 'joint resolution relative to the accident on board the *Princeton*,' was read twice, the rule suspended, read the third time and passed.

The following communication was announced:

EXECUTIVE OFFICE, }  
*Detroit, March 11, 1844.* }

*To the Huse of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State 'an act to amend an act entitled an act to provide for the assessment and collection of taxes, approved March eighth, 1843, and for other purposes.'

Also, 'an act: to amend an act entitled an act relative to the auditor general and state treasurer, and the offices of both, approved April 1, 1840 ;'

Also, 'an act to define and protect the rights of married women.'

Also, 'an act to incorporate the Utica female seminary.'

Also, 'an act relative to the duties of assessors and highway commissioners.'

Also, a 'joint resolution relative to the claim of Farrand and Higby, and John H. Dubois.'

Also, 'a joint resolution authorizing a resurvey of the village of East Battle Creek.'

Also, a 'joint resolution relative to the distribution of the session laws, Journals, &c.'

Also, a 'joint resolution relative to certain Ot-ta-wa indians residing at L'Arbre Croche on Lake Michigan.'

JNO. S. BARRY.

Mr. Pratt, from the committee on engrossment and enrollment, reported as correctly engrossed, the 'bill to incorporate the village of Saline.'

The Speaker appointed Messrs. H. N. Walker, Fairfield and Barnard a committee of conference on the part of the House on the disagreement between the two Houses, on the 'bill to incorporate the Detroit and Grand River plank road company.'

On motion of Mr. Snell, leave was granted to Charles W. Millerd to withdraw the papers relative to his claim.

The 'bill supplementary to an act entitled an act to alter, lay out, and establish certain state roads therein mentioned, approved March 9, 1843,' was read a third time and passed.

On motion of Mr. Delamatter, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and on calling the roll Messrs. Berry, Dunham, O. Miller, Schoolcraft and Shurtz, were absent on leave, and Messrs. Barnard, Fairfield, H. Hall, Haydon, Hebard, Leland, R. D. Power, Saunders and Tillson, were absent without leave.

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
*Detroit, March 11, 1844.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act to establish a land office; to prescribe and regulate the disposition of the public lands; and for other purposes."

Also, "an act to amend the charter of the city of Detroit."

JNO. S. BARRY.

EXECUTIVE OFFICE, }  
*Detroit, March 11, 1844.* }

*To the Senate and House of Representatives:*

I respectfully inform the Senate and House of Representatives, that I am prepared to submit a nomination for acting commissioner of internal improvement, and such other nominations as require the action of both branches of the legislature in joint convention, whenever it shall suit their convenience to receive the same.

JNO. S. BARRY.

Mr. McLeod offered a concurrent resolution relative to holding a joint convention, which was adopted.

The House then took up the "bill to provide for the payment of certain claims."

On motion of Mr. H. N. Walker, the following was added:

"To Charles G. Green, proprietor of the Boston Post, four dollars and fifty cents; to Z. Volum, one hundred and fifty-five dollars and sixteen cents, for pressing sheets of session laws, journals of Senate and House of Representatives, Senate and House documents, and joint documents of 1843, and the school laws."

Mr. H. N. Walker moved to amend by adding: "To Patrick Cary, for repairs of House, putting locks on tables, and mending carpets, thirty-six dollars," which motion was lost.

The bill was then ordered to be engrossed for a third reading.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 11, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House, that Senators Patterson, Starkey and Green, have been appointed a committee of conference on the disagreement between the two houses on the appropriation bill.

Also, to return the "joint resolution relative to the meeting of the two houses in joint convention," which the Senate have adopted with an amendment in which they respectfully ask the concurrence of the House.

JAMES E. PLATT,  
*Secretary of the Senate.*

The Senate amendment to the concurrent resolution relative to holding a joint convention, was concurred in.

On motion of Mr. McLeod, a committee of two was ordered to be appointed to inform the Senate that the House were prepared to receive them in joint convention.

The Speaker appointed as such committee Messrs. McLeod and H. L. Miller, who, after a short absence returned and reported that they had discharged the duties assigned to them.

The Honorable the Senate was then announced, and the Senators were conducted to their seats.

#### THE JOINT CONVENTION

Was called to order by the President, *pro tempore*, of the Senate, and the rolls of the two houses were called, when the following Senators and Representatives answered to their names:

#### SENATORS.

Messrs. Cust, Gray, Green, Hart, Howell, Mason, Moody, Niles, Patterson, Pratt, Redfield, Richmond, Shearer, Starkey, Thurber, Turner and Wilson.

#### REPRESENTATIVES.

Messrs. Barnard, Baldwin, Blindbury, Chester, Davis, Delamatter, Fairfield, Ferguson, Griffin, H. Hall, M. Hall, Hawley, Haydon, Hebard, Joslin, Knight, Knowlton, Lamond, Leland, Livermore, McLeod, H. L. Miller, Mosher, Murphy, Parmelee, R. D. Power, Porter, Pratt, Ramsdell, Ruehle, Rix, Rowland, Runyan, Saunders,

Sheldon, Snell, Stone, Tillson, Videto, Vickery, Van Huse, D. C. Walker, H. N. Walker, White and Speaker.

On motion of Senator Howell,

A committee of two was ordered to be appointed to wait on the governor, and to inform him that the two houses were assembled in joint convention, and were ready to receive any communication he might be pleased to make.

The President appointed as such committee, Senator Howell and Mr. Barnard, who, after a short absence, reported that they had discharged the duty for which they were appointed, and had received for answer from the executive that he would immediately transmit communications in writing.

The following communications from the governor, were then received :

EXECUTIVE OFFICE, }  
Detroit, March 11, 1844. }

*To the Senate and House of Representatives, in joint convention :*

I hereby nominate Oliver C. Comstock, jr. of Calhoun county, to be acting commissioner of internal improvement, in place of Thomas W. Wells, who declines a re-appointment; to hold the said office for the term of one year, to commence on the eighth day of April next, when the term of the present incumbent will expire.

JOHN S. BARRY.

EXECUTIVE OFFICE, }  
Detroit, March 11, 1844. }

*To the Senate and House of Representatives, in joint convention :*

I hereby nominate John E. Schwarz to be adjutant general of the militia of this state.

JOHN S. BARRY.

On motion of Mr. Videto, the convention took a recess for fifteen minutes.

The time having expired for which recess was taken, the joint convention again assembled and was called to order by the President.

The rolls of the two houses were again called, when the following Senators and Representatives were present :

SENATORS.

Messrs. Cust, Gray, Green, Hart, Howell, Mason, Moody, Niles, Patterson, Pratt, Redfield, Richmond, Shearer, Starkey, Thurber, Turner and Wilson.



REPRESENTATIVES.

Messrs. Adams, Ames, Barnard, Baldwin, Blindbury, Chester, Davis, Delamatter, Fairfield, Ferguson, Griffin, H. Hall, M. Hall, Hawley, Haydon, Hebard, Joslin, Knight, Knowlton, Lamond, Leland, Livermore, McLeod, H. L. Miller, Mosher, Murphy, Parmelee, P. Power, R. D. Power, Porter, Pratt, Ramsdell, Ruehle, Rix, Rowland, Runyan, Saunders, Sheldon, Snell, Stone, Tillson, Videto, Vickery, Van Huse, D. C. Walker, H. N. Walker, White and Speaker.

On motion of Senator Hart, the nomination for adjutant general was taken up.

Senator Redfield moved that the convention advise and consent to the appointment of John E. Schwarz; which motion prevailed, by the following vote:

SENATORS.

YEAS.

Mr. Cust,	Mr. Mason,	Mr. Richmond,	
Gray,	Moody,	Shearer,	
Green,	Niles,	Starkey,	
Hart,	Pratt,	Turner,	
Howell,	Redfield,	Wilson,	15

NAYS.

Mr. Patterson,	Mr. Thurber,	2
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REPRESENTATIVES.

YEAS.

Mr. Adams,	Mr. Hawley,	Mr. Porter,	
Ames,	Hebard,	Ruehle,	
Barnard,	Joslin,	Rowland,	
Baldwin,	Knight,	Saunders,	
Blindbury,	Knowlton,	Snell,	
Davis,	Lamond,	Stone,	
Delamatter,	Livermore,	Van Huse,	
Ferguson,	Mosher,	D. C. Walker,	
Griffin,	P. Power,	H. N. Walker,	
H. Hall,	R. D. Power,	Speaker,	31
M. Hall,			

NAYS.

Mr. Chester,	Mr. Murphy,	Mr. Sheldon,	
Fairfield,	Parmelee,	Tillson,	
Haydon,	Pratt,	Videto,	
Leland,	Rix,	White,	
McLeod,	Runyan,		14

Mr. H. N. Walker moved that the convention advise and consent

to the appointment of Oliver C. Comstock, jr. as acting commissioner of internal improvement ; which motion prevailed, by the following vote :

## SENATORS.

## YEAS.

Mr. Gray, Green, Hart,	Mr. Howell, Patterson, Redfield,	Mr. Starkey, Thurber, Turner,	9
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## NAYS.

Mr. Cust, Mason, Moody,	Mr. Niles, Pratt, Richmond,	Mr. Shearer, Wilson,	8
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## REPRESENTATIVES.

## YEAS.

Mr. Adams, Ames, Blindbury, Fairfield, Ferguson, H. Hall, Hawley, Joslin,	Mr. Knight, Mosher, Ramsdell, Ruehle, Rix, Rowland, Runyan, Saunders,	Mr. Stone, Tillson, Videto, Vickery, Van Huse, D. C. Walker, H. N. Walker, Speaker,	24
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## NAYS.

Mr. Barnard, Baldwin, Chester, Davis, Delamatter, Griffin, M. Hall, Haydon,	Mr. Hebard, Knowlton, Lamond, Leland, Livermore, McLeod, H. L. Miller, Murphy,	Mr. Parmelee, P. Power, R. D. Power, Porter, Pratt, Sheldon, Snell, White,	24
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Senator Hart moved a reconsideration of the last vote, pending which,

Mr. D. C. Walker moved an adjournment, which was lost by yeas and nays as follows :

## SENATORS.

## YEAS.

Mr. Gray, Mason, Patterson,	Mr. Redfield, Starkey,	Mr. Thurber, Turner,	7
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## NAYS.

Mr. Cust, Green,	Mr. Moody, Niles,	Mr. Richmond, Shearer,	
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Hart,  
Howell,

Pratt,

Wilson,

10

REPRESENTATIVES.

YEAS.

Mr. Adams,  
Blindbury,  
Ferguson,  
H. Hall,  
Hawley,  
Joslin,  
Knight,  
Leland,

Mr. H. L. Miller,  
Mosher,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,  
Saunders,

Mr. Stone,  
Tillson,  
Videto,  
Van Husean,  
D. C. Walker,  
H. N. Walker,  
Speaker,

23

NAYS.

Mr. Ames,  
Barnard,  
Baldwin,  
Chester,  
Davis,  
Delamatter,  
Fairfield,  
Griffin,  
M. Hall,

Mr. Haydon,  
Hebard,  
Knowlton,  
Lamond,  
Livermore,  
McLeod,  
Murphy,  
Parmelee,

Mr. P. Power,  
R. D. Power,  
Pratt,  
Runyan,  
Sheldon,  
Snell,  
Vickery,  
White,

25

The question then recurring on the motion to reconsider, it prevailed by the following vote :

SENATORS.

YEAS.

Mr. Cust,  
Green,  
Hart,  
Howell,

Mr. Moody,  
Niles,  
Pratt,

Mr. Richmond,  
Shearer,  
Wilson,

10

NAYS.

Mr. Gray,  
Mason,  
Patterson,

Mr. Redfield,  
Starkey,

Mr. Thurber,  
Turner,

7

REPRESENTATIVES.

YEAS.

Mr. Ames,  
Barnard,  
Baldwin,  
Chester,  
Davis,  
Delamatter,  
Ferguson,  
Griffin,  
H. Hall,  
M. Hall,

Mr. Hawley,  
Haydon,  
Hebard,  
Knowlton,  
Lamond,  
Leland,  
Livermore,  
McLeod,  
H. L. Miller,

Mr. Murphy,  
Parmelee,  
P. Power,  
R. D. Power,  
Pratt,  
Sheldon,  
Videto,  
Vickery,  
White,

28

NAYS.

Mr. Adams  
Blindbury,  
Fairfield,  
Joslin,  
Knight,  
Mosher,  
Porter,

Mr. Ramsdell,  
Ruehle,  
Rix  
Rowland,  
Runyan,  
Saunders,  
Snell,

Mr. Stone,  
Tillson,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker,

20

The appointment of Oliver C. Comstock, jr., as acting commissioner of internal improvement, was then advised and consented to by the following vote :

SENATORS.

YEAS.

Mr. Gray,  
Green,  
Hart,  
Howell,

Mr. Mason,  
Patterson,  
Redfield,

Mr. Starkey,  
Thurber,  
Turner,

10

NAYS.

Mr. Cust,  
Moody,  
Niles,

Mr. Pratt,  
Richmond,

Mr. Shearer,  
Wilson,

7

REPRESENTATIVES.

YEAS.

Mr. Adams,  
Ames,  
Blindbury,  
Fairfield,  
Ferguson,  
H. Hall,  
Hawley,  
Haydon,  
Joslin,

Mr. Knight,  
Mosher,  
Porter,  
Ramsdell,  
Ruehle,  
Rix,  
Rowland,  
Runyan,

Mr. Saunders,  
Stone,  
Tillson,  
Vickery,  
Van Husan,  
D. C. Walker,  
H. N. Walker,  
Speaker,

25

NAYS.

Mr. Barnard,  
Baldwin,  
Chester,  
Davis,  
Delamatter,  
Griffin,  
M. Hall,  
Hebard,

Mr. Knowlton,  
Lamond,  
Leland,  
Livermore,  
McLeod,  
H. L. Miller,  
Murphy,  
Parmelee,

Mr. P. Power,  
R. D. Power,  
Pratt,  
Sheldon,  
Snell,  
Videto,  
White,

23

On motion of Senator Richmond, the joint convention adjourned.

JAMES E. PLATT,  
*Secretary of the Senate.*

A. W. HOVEY,

*Clerk of the House of Representatives.*

The Speaker called the House of Representatives to order, when, Mr. Leland moved an adjournment, which prevailed.

*Evening Session.*

The House met pursuant to a adjournment, and on calling the roll, Messrs. Berry, Dunham, O. Miller, Schoolcraft and Shurtz, were absent on leave, and Messrs. Baldwin, Hobard, Knowlton, Livermore, Murphy and H. N. Walker, were absent without leave.

The Speaker announced the following communication from the Executive:

EXECUTIVE OFFICE,  
Detroit, March 11, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act to incorporate the Detroit and Birmingham plank road company."

Also, "an act authorizing the building of a dam across the River Raisin."

Also, a "joint resolution authorizing the commissioner of the state land office to issue certificates to certain persons named therein."

JOHN S. BARRY.

The House resolved itself into committee of the whole on the general order, Mr. Joslin in the chair; and after spending sometime thereon, the committee rose, and by their chairman reported that they had had under consideration a 'bill making appropriations to defray certain expenses authorized for the year 1844;' a "bill to amend an act entitled 'an act to amend an act entitled 'an act to incorporate the stockholders of the Michigan Insurance Company,' approved March 7, 1834, and for other purposes,' approved March 9, 1843;" a 'preamble and joint resolutions relative to Mons. Vattermare's system of international literary exchanges;' a 'bill to incorporate the Peninsular mutual fire and marine insurance company;' a 'bill to punish officers, agents, clerks, and servants of incorporated bodies for certain frauds;' a 'bill to amend an act to provide for consolidating and revising the general laws of this state;' and a 'bill appropriating twelve hundred acres of land for the construction of a state road from Lexington to Point au Barque,' which they reported back without amendment.

Mr. Pratt, from the committee on engrossment and enrollment, on leave reported the following bills and joint resolutions, as correctly enrolled:

'An act authorizing executors and administrators to convey lands in certain cases; under the direction of the courts of probate, and to permit sales of real estate at less than the full appraised value in certain cases;' 'an act supplementary to an act entitled 'an act to alter, lay out, and establish certain roads therein mentioned,' approved March 9, 1843;' 'an act making an appropriation for the payment of extra expenses, incurred by the adjutant general;' 'an act authorizing marks and brands for horses, cattle, sheep and swine;' 'an act to amend an act entitled 'an act for the relief of certain settlers on university lands, in the county of Oakland,' approved March 9, 1843;' 'joint resolution relative to settlement with Charles W. Millard;' 'joint resolution instructing our Senators and requesting our Representatives in Congress relative to a modification of the present tariff law;' 'joint resolution for the relief of William B. Wandall;' 'joint resolution relative to Oregon Territory;' and that the same have this day been presented to the Governor for his approval.

The House then took up the 'bill making appropriations to defray certain expenses authorized for the year 1844.'

On motion of Mr. H. N. Walker, the following was added: 'To Henry E. Perry, for repairs and locks for tables, five dollars and fifty cents.'

On motion of Mr. Parmelee, the words 'sixty-three,' before 'dollars' were stricken out of the appropriation to G. F. Rood, & Co., and 'seventy one' inserted.

On motion of Mr. H. N. Walker, the following was inserted: 'To Patrick Cary, for repairing tables, locks, carpets, &c., fifteen dollars.'

The bill was then ordered to be engrossed for a third reading, and,

On motion of Mr. D. C. Walker, the engrossing clerk was directed to attach the 'bill to provide for the payment of certain claims' to this bill.

The 'bill to incorporate the Peninsular mutual fire and marine insurance company.'

The 'bill to amend an act entitled an act to incorporate the stockholders of the Michigan Insurance company, approved March 7, 1834, and for other purposes, approved March 9, 1843,' and

The 'bill to punish officers, agents, clerks, and servants of incor-

porated bodies for certain frauds, were severally ordered to a third reading.

The 'preamble and joint resolutions relative to Mons. Vattermare's system of international literary exchanges,' was ordered to be engrossed for a third reading.

The 'bill to amend an act to provide for consolidating and revising the general laws of this state,' was ordered to a third reading.

The 'bill to appropriate twelve hundred acres of land to the construction of a road from Lexington to Point au Barque,' being under consideration ;

On motion of Mr. Chester, all after the enacting clause was stricken out.

The 'joint resolution relative to the purchase of books for the state library,' was ordered to be engrossed for a third reading.

The 'joint resolution relative to certain claims,' was read the third time and passed.

The 'bill to incorporate the Troy and Rochester railroad company,' was read the third time and passed by the following vote :

YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Pratt,
Ames,	Hebard,	Rix,
Barnard,	Joslin,	Rowland,
Baldwin,	Knowlton,	Saunders,
Blindbury,	Lamond,	Snell,
Chester,	McLeod,	Stone,
Davis,	H. L. Miller,	Tillson,
Delamatter,	Mosher,	Videto,
Ferguson,	Murphy,	Van Huse,
Griffin,	Parmelee,	D. C. Walker,
H. Hall,	P. Power,	White,
M. Hall,	R. D. Power,	Speaker,
Hawley,	Porter,	

38

NAYS.

Mr. Fairfield,	Mr. Ramsdell,	Mr. Sheldon,
Knight,	Ruehle,	Vickery,
Leland,	Runyan,	

8

The 'bill to incorporate the Peninsular mutual fire and marine insurance company,' was read the third time. and the question being on its passage, the following was the vote thereon :

YEAS.

Mr. Baldwin,	Mr. Lamond,	Mr. Rowland,
Blindbury,	McLeod,	Runyan,

Chester,  
Ferguson,  
Griffin,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,  
Joslin,  
Knight,

H. L. Miller,  
Mosher,  
Murphy,  
Parnielee,  
P. Power,  
R. D. Power,  
Pratt,  
Ruehle,  
Rix,

Saunders,  
Sheldon,  
Snell,  
Stone,  
Videto,  
Van Husan,  
H. N. Walker,  
White,  
Speaker, 33

## NAYS.

Mr. Adams,  
Ames,  
Barnard,  
Davis,  
Delamatter,

Mr. Fairfield,  
H. Hall,  
Knowlton,  
Leland,

Mr. Porter,  
Ramsdell,  
Tillson,  
Vickery,

13

The Speaker decided the bill to be lost, two-thirds of all the members elected not having voted in the affirmative.

Mr. McLeod appealed from the decision of the Chair, when the decision was reversed by the following vote :

## YEAS.

Mr. Adams,  
Ames,  
Barnard,  
Delamatter,  
Fairfield,  
H. Hall,

Mr. Joslin,  
Knowlton,  
Leland,  
Murphy,  
Parnielee,  
Porter,

Mr. Ramsdell,  
Stone,  
Tillson,  
Vickery,  
White,

17

## NAYS.

Mr. Baldwin,  
Blindbury,  
Chester,  
Davis,  
Griffin,  
M. Hall,  
Hawley,  
Haydon,  
Hebard,

Mr. Knight,  
Lamond,  
McLeod,  
H. L. Miller,  
Mosher,  
R. D. Power,  
Pratt,  
Ruehle,  
Rix,

Mr. Rowland,  
Saunders,  
Sheldon,  
Snell,  
Videto,  
Van Husan,  
D. C. Walker,  
H. N. Walker,

26

The bill was then declared to be passed, two thirds of all the members voting on the question having voted in the affirmative.

The 'bill making appropriations to defray certain expenses authorized for the year 1844;' and

The 'joint resolution relative to the return of certain money to Jacob Beeson,' were severally read the third time and passed.

The 'bill to incorporate the Lapeer and Pontiac turnpike company,' was read the third time and passed by the following vote :



YEAS.

Mr. Adams,	Mr. Knight,	Mr. Rowland,
Ames,	Knowlton,	Sheldon,
Baldwin,	Lamond,	Snell,
Blindbury,	Leland,	Stone,
Chester,	McLeod,	Tillson,
Davis,	H. L. Miller,	Videto,
Delamatter,	Mosher,	Vickery,
Griffin,	Murphy,	Van Husan,
H. Hall,	R. D. Power,	D. C. Walker,
M. Hall,	Porter,	H. N. Walker,
Hawley,	Pratt,	White.
Haydon,	Rix,	Speaker,
Hebard,		

37

NAYS.

Mr. Fairfield,	Mr. Ruehle,	Mr. Saunders,
Ramsdell,	Runyan,	

5

The 'bill to amend an act entitled an act to amend an act entitled an act to incorporate the stockholders of the Michigan Insurance company, approved March 7, 1834, and for other purposes, approved March 9, 1843,' was read the third time and passed by the following vote:

YEAS.

Mr. Baldwin,	Mr. Joslin,	Mr. Rix,
Blindbury,	Knight,	Rowland,
Chester,	Knowlton,	Saunders,
Davis,	Lamond,	Snell,
Delamatter,	Leland,	Tillson,
Ferguson,	McLeod,	Videto,
Griffin,	H. L. Miller,	Vickery,
H. Hall,	Parmelee,	D. C. Walker,
M. Hall,	Porter,	White,
Hawley,	Pratt,	Speaker,
Haydon,	Ruehle,	

32

NAYS.

Mr. Adams,	Mr. Mosher,	Mr. Runyan,
Ames,	Murphy,	Sheldon,
Barnard,	P. Power,	Stone,
Fairfield,	R. D. Power,	Van Husan,
Hebard,	Ramsdell,	

14

The following message was received from the Senate :

SENATE CHAMBER, }  
March 11, 1844. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return the 'bill to incorpo-

rate the Detroit and Grand River plank road company,' and to respectfully inform you that the Senate have concurred in the report of the committee of conference thereon.

Also, to return the 'bill supplementary to the act providing for the more effectual organization and discipline of the militia,' and to inform you that the Senate have non-concurred therein.

JAMES E. PLATT,  
*Secretary of the Senate.*

The report of the committee of conference on the 'bill to incorporate the Detroit and Grand River plank road company,' was concurred in, and the bill ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 11, 1844. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to respectfully inform the House that the Senate have non-concurred in the report of the committee of conference on the 'appropriation bill' and respectfully ask that another committee of conference may be appointed on the part of the House.

JAS. E. PLATT,  
*Secretary of the Senate.*

The question being on acceding to the request of the Senate, it was decided in the negative, and the House adhered to their disagreement.

The 'bill to punish officers, agents, clerks, and servants of incorporated bodies, for certain frauds;'

The 'bill to authorize Anne Duval, a minor, to convey certain real estate;' and the 'bill to amend an act to provide for consolidating and revising the general laws of this state,' were severally read the third time and passed.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Detroit, March 11, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, 'a joint resolution for the relief of Wm. B. Wadall.'

Also, a 'joint resolution relative to settlement with Charles W. Millard.'

Also 'an act to amend an act entitled an act for the relief of certain settlers on university lands in the county of Oakland, approved March 9, 1843.'

Also, 'an act authorizing marks and brands for horses, cattle, sheep and swine.'

Also, 'a joint resolution instructing our Senators and requesting our Representatives in congress relative to a modification of the present tariff law.'

Also, a 'joint resolution.'

Also, 'an act authorizing executors and administrators to convey lands in certain cases under the direction of the courts of Probate, and to permit sales of real estate at less than the full appraised value in certain cases.'

Also, 'an act supplementary to an act entitled an act to alter, lay out, and establish certain state roads therein mentioned, approved March 9, 1843.'

Also, 'an act making an appropriation for the payment of extra expenses incurred by the adjutant general.'

JOHN S. BARRY.

The "bill to incorporate the village of Saline," was read the third time and passed by the following vote :

YEAS.

Mr. Adams,	Mr. Haydon,	Mr. Runyan,
Ames,	Joslin,	Sheldon,
Barnard,	Knight,	Stone,
Baldwin,	Lamond,	Tillson,
Chester,	Murphy,	Videto,
Ferguson,	Parmelee,	Van Huesen,
Griffin,	R. D. Power,	D. C. Walker,
H. Hall,	Porter,	Speaker,
Hawley,	Rix,	

26

NAYS.

Mr. Blinbury,	Mr. H. L. Miller,	Mr. Saunders,
Davis,	P. Power,	Snell,
Delamatter,	Rushle,	Vickery,
M. Hall,	Rowland,	H. N. Walker,
Hebard,		

18

The "bill to amend an act entitled 'an act to prescribe the powers and duties of justices of the peace in civil proceedings.'" &c.;

The "joint resolution in relation to the purchase of books for the state library;" and,

The "preamble and joint resolutions relative to Mons. Vattemare's system of international literary exchanges," were severally read the third time and passed.

The "bill to improve the navigation of the Paw Paw river," being under consideration,

On motion of Pratt, all after the enacting clause was stricken out.

The following message was received from the Senate:

SENATE CHAMBER, }  
March 11, 1844.

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a "bill to define the duties of the auditor general in relation to rejected taxes, and for other purposes," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also, to inform the House that the Senate have concurred in the House amendments to the "bill to incorporate the Troy and Rochester railroad company," and to the "bill to incorporate the Lapeer and Pontiac turnpike company," and have ordered the same as amended to be enrolled.

JAMES E. PLATT,  
*Secretary of the Senate.*

On motion of Mr. Joslin, the rule was suspended, so that a bill could be received, when,

The "bill to define the duties of the auditor general in relation to rejected taxes, and for other purposes," was read twice, and the rule being suspended, it was then taken up for consideration,

Mr. Murphy moved to amend the third line of the first section, by inserting after the word 'cause' the word 'hereafter,' which motion was lost.

Mr. Murphy moved to amend by inserting after the word 'cause,' in the third line of the first section, the words, 'except when the same were illegally assessed, or returned,' which motion did not prevail.

Mr. H. N. Walker moved to strike out of the third line of the first section, the words 'for any cause be rejected,' which motion was lost.

Mr. Murphy moved to strike out all after the enacting clause, which was lost.

The bill was then ordered to a third reading by the following vote:

YEAS.

Mr. Adams,	Mr. Hawley,	Mr. P. Power,
Barnard,	Haydon,	Porter,
Baldwin,	Hebard,	Ruehle,
Blindbury,	Joslin,	Rix,
Chester,	Knight,	Runyan,
Delamatter,	Knowlton,	Snell,
Ferguson,	Lamond,	Tillson,
Griffin,	Leland,	D. C. Walker,
H. Hall,	H. L. Miller,	White,

27

NAYS.

Mr. Ames,	Mr. Parmelee,	Mr. Sheldon,
Davis,	R. D. Power,	Stone,
M. Hall,	Pratt,	Videto,
McLeod,	Rowland,	H. N. Walker,
Mosher,	Saunders,	Speaker,
Murphy,		

16

On motion of Mr. D. C. Walker, the rule was suspended, and the bill read a third time and passed.

Mr. Pratt moved that the House take a recess for one hour, which motion was lost.

The following message was received from the Senate:

SENATE CHAMBER, }  
 Detroit, March 11, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the 'bill to provide for the current expenses of the state for the year 1844,' and to respectfully inform the House that the Senate have receded from their amendment thereto relative to messengers. Also to return the 'bill making appropriations to defray certain expenses authorized for the year 1844,' which the Senate have passed with sundry amendments in which they respectfully ask the concurrence of the House.

JAS. E. PLATT,

*Secretary of the Senate.*

The 'bill to provide for the current expenses of the state for the year 1844,' was ordered to be enrolled.

All of the Senate amendments to the 'bill making appropriations to defray certain expenses authorized for the year 1844,' were concurred in except the sixth, eighth, twenty-third, twenty-fifth, thirty-first and fortieth; and amended the twenty-six and thirtieth amendments, by inserting the words 'for the Senate.'

The Speaker called Mr. McLeod to the chair.

Mr. H. L. Miller offered the following resolution, which was unanimously adopted :

*Resolved*, That the thanks of this House are hereby tendered to the Honorable Speaker, for the able and impartial manner in which he has presided over its deliberations, commending himself to the affectionate remembrance of all who have been associated with him, as well as to all who have witnessed his anxious regard for the interests of the state, and for the order, harmony and good feeling of all the members of this legislative body.

Mr. Videto offered the following resolution, which was unanimously adopted :

*Resolved*, That the thanks of this House are hereby tendered to the Clerk for the correct and efficient discharge of his arduous duties, and for his courteous deportment towards those with whom he has been officially connected.

Mr. Pratt offered the following resolution which was unanimously adopted :

*Resolved*, That the thanks of this House are hereby tendered to William C. Pease, the enrolling and engrossing clerk of this House, for his efficiency in the discharge of his duties, and the uniform and gentlemanly deportment which has characterized his intercourse with its members.

On motion of Mr. Pratt, a call of the House was had, when Messrs. Delamatter, Fairfield, H. Hall, Hawley, Hebard, Porter, Rix, Sheldon, Snell, Stone, Tillson and Vickery were absent without leave.

Mr. Saunders moved to send the Sergeant-at-arms for the absentees, which motion was lost.

On motion of Mr. H. L. Miller, all further proceedings under the call were dispensed with.

On motion of the Speaker, the House took a recess until nine o'clock on Tuesday morning.

*Tuesday, March 12, 1844.*

The time having expired for which the House took a recess, it was called to order by the President.

On calling the roll, a quorum was found to be present.

The following message was received from the Senate:

SENATE CHAMBER, }  
Monday, March 11, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a concurrent resolution relative to adjournment of the legislature, which the Senate have adopted, and respectfully ask the concurrence of the House therein.

JAMES E. PLATT,

*Secretary of Senate.*

The concurrent resolution relative to adjournment of the legislature, was read and concurred in.

Mr. H. N. Walker asked leave to introduce a bill. Leave was not granted.

Mr. Pratt, from the committee on engrossment and enrolment, reported as correctly enrolled, "a bill to incorporate the Detroit and Grand river plank road company," and "a bill to provide for the current expenses of the state for the year 1844," and that the same have been presented to the governor for his approval.

The following message was received from the Senate:

SENATE CHAMBER, }  
Monday, March 11, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House that the Senate have receded from their amendment to the "bill making appropriations to defray certain expenses authorized for the year 1844," relative to the appropriation to N. C. Welles; that they insist upon their amendments relative to A. M. Gould, Hunt & Watson, James W. Nichols, and to the messengers of the Senate; that they recede from their amendment relative to the Michigan Farmer, and have concurred in the House amendments to the 26th and 30th amendments of the Senate; and that they respectfully ask the appointment of a committee of conference on the part of the House.

JAMES E. PLATT,

*Secretary of Senate.*

A committee of conference on the "bill making appropriations to defray certain expenses authorized for the year 1844," was ordered, and the Speaker appointed as such committee, Messrs. Pratt, Rowland and H. L. Miller.

The following message was received from the Senate:

SENATE CHAMBER, }  
Tuesday, March 12, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House that Senators Wilson, Gray and Shearer have been appointed a committee of conference on the part of the Senate, on the general appropriation bill.

JAMES E. PLATT,  
*Secretary of Senate.*

On motion of Mr. H. L. Miller, leave was granted to Morgan Bates to withdraw his claim.

The following message was received from the Senate:

SENATE CHAMBER, }  
Tuesday, March 12, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "preamble and joint resolution relative to Mons. Vattemare's system of international literary exchanges," and to respectfully inform the House that the Senate have concurred therein.

JAMES E. PLATT,  
*Secretary of Senate.*

The preamble and joint resolution was ordered to be enrolled.

Mr. Pratt, from the committee on engrossment and enrolment, reported as correctly enrolled, the "preamble and joint resolution relative to Mons. Alexandre Vattemare's system of international literary exchanges," and that the same has been presented to the governor for approval.

The following message was received from the Senate:

SENATE CHAMBER, }  
Tuesday, March 12, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House, that the Senate have concurred in the report of the committee of conference on the general appropriation bill, which is herewith transmitted.

JAMES E. PLATT,  
*Secretary of Senate.*



The report of the committee of conference on the appropriation bill, was concurred in by the House and the bill ordered to be enrolled.

On motion of Mr. D. C. Walker, the House took a recess for half an hour.

The half hour having expired, the House was called to order and the following communication was received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, March 12, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of Secretary of State, "an act to provide for the current expenses of the state for the year one thousand eight hundred and forty-four."

Also "an act to incorporate the Detroit and Grand River plank road company."

JNO. S. BARRY.

On motion of Mr. Barnard, the House took a recess until 2 o'clock.

Two o'clock P. M. March 12, 1844.

The House was called to order by the Speaker, who announced the reception of the following communication from the Executive :

EXECUTIVE OFFICE, }  
Detroit, March 12, 1844. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of Secretary of State "an act making appropriations to defray certain expenses authorized for the year 1844."

Also a "preamble and joint resolutions relative to Mons. Vattermare's system of international literary exchanges."

JNO. S. BARRY.

On motion of Mr. H. N. Walker,

*Resolved*, That a committee of two be appointed to inform the Senate that the House of Representatives have no further business before them, and are now ready to adjourn *sine die*.

The Speaker appointed as such committee, Messrs. H. N. Walker and Stone, who, after a short absence, returned and reported that they had discharged the duty for which they were appointed.

Mr. Pratt offered the following concurrent resolution which was adopted:

*Resolved*, (the Senate concurring,) That a committee of two be appointed on the part of the House to act with a like committee on the part of the Senate, to wait on the governor and inform him that the two Houses are now ready to adjourn *sine die*, unless he may have some further communication to make to them.

A committee from the Senate consisting of Senators Green and Richmond, was announced, who informed the House that the Senate had no further business before them, and were now ready to adjourn *sine die*.

The following communication was received from the Senate:

SENATE CHAMBER. }  
March 12, 1844. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the joint resolution relative to adjournment, in which the Senate have concurred, and to inform you that Senators Hart and Patterson have been appointed on the part of the Senate a committee to wait upon the governor.

JAMES E. PLATT,  
*Secretary of the Senate.*

Messrs. Livermore and Snell, were appointed a committee on the part of the House, who, after a short absence returned and reported that they had waited on the Governor, and informed him that unless he had some further communication to make, the two houses were now ready to adjourn; and had received for answer that he had no communication to make.

The Honorable Speaker then rose and addressed the House as follows:

*Gentlemen of the House of Representatives:*

When I assumed the duties of the chair at the commencement of the session, in obedience to the unanimous voice of this House, I felt most deeply the obligations I was under to discharge the intricate and delicate duties of this station with faithfulness and impartiality, believing that such a course would be productive of good order and tend to the despatch of public business, and finally secure to me your respect and approbation.

The kindness and courtesy that I have received daily from every member of this House, has cheered me on in the discharge of my du-

ty, and I should now be unjust to myself did I not acknowledge that I felt highly gratified for the highly complimentary and unanimous resolution of approbation of my conduct, adopted by this House, it being much more than I even dared hope for.

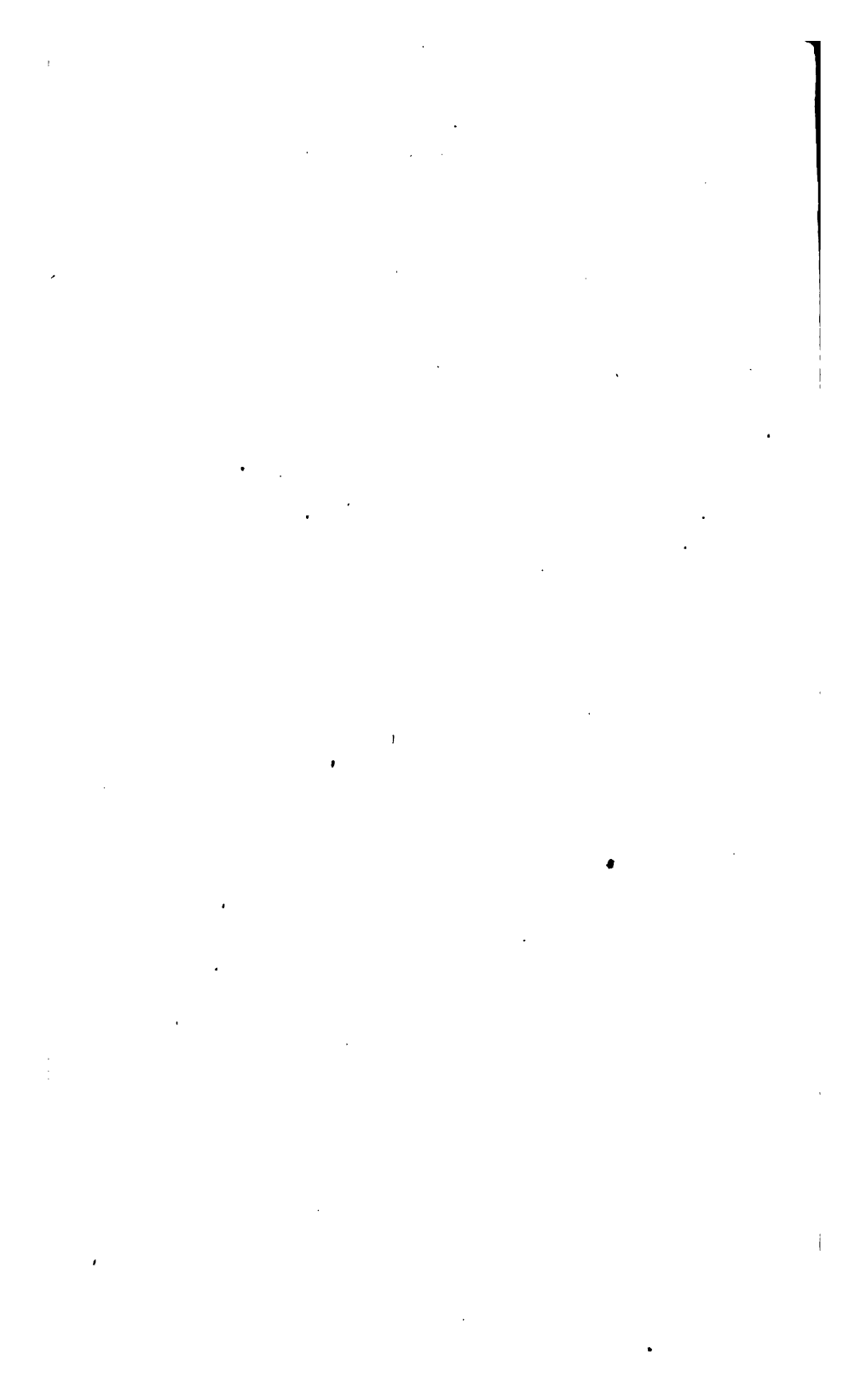
My success in conducting the business of this session, is owing more to your forbearance and ready counsel in cases of difficulty and embarrassment, and the assistance rendered me by the able and intelligent Clerk at the desk, than to any ability or experience of my own, and for which I now embrace this opportunity of tendering to you and him my sincere acknowledgements.

But, gentlemen, our work is done, and the moment of our separation has arrived, and we shall no more meet here to greet each other as friends and brothers; and the strong feelings of attachment that have insensibly grown up amongst us, can no longer exist, only in memory, and when we go forth from this hall, may each of us have the proud consolation—although there has at times arisen amongst us warm and earnest conflicts of opinion, as to what would best promote the interests of our beloved state—that our councils have been tempered with kindness and good feelings, and that we now part friends. And whatever may be our lot in after life, whether in public or private station, may we all ever be found arrayed on the side of “order, liberty and justice,” ever remembering that upon us rests the most solemn obligation to protect and preserve our institutions, and if we cannot make them better, at least, to transmit them unimpaired to those who may succeed us.

And now, gentlemen, permit me to congratulate you upon the prospect of your immediate return to the bosoms of your families, friends and constituents; and may you find your families and friends in the full possession of life, health and happiness, and may your constituents greet you with the welcome plaudits of “well done, good and faithful servants, worthy the confidence reposed in you.”

It now only remains for me to stretch forth a brother's hand and bid each and every one of you a kind and affectionate farewell. Farewell! Farewell!

On motion of Mr. Livermore, the House adjourned, *sine die*.



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